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**UNITED STATES DEPARTMENT OF AGRICULTURE**

**AGRICULTURAL RESEARCH SERVICE**

**MEAT INSPECTION DIVISION**

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**Regulations Governing the  
Meat Inspection  
of the United States  
Department of Agriculture**



**Edition of December 1957**

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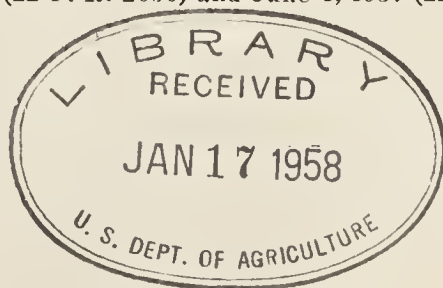
MEAT INSPECTION DIVISION

# Regulations Governing the Meat Inspection of the United States Department of Agriculture

Edition of December 1957



As contained in Title 9, Chapter I, Subchapter A, Code of Federal Regulations, 1949 Edition, Cumulative Pocket Supplement issued thereto, and amendments issued April 17, 1957 (22 F. R. 2656) and June 1, 1957 (22 F. R. 3848).



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# CONTENTS

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Part	Page
1. Definitions.....	1
2. Scope of inspection.....	4
4. Applications for inspection or exemption; retail butchers, retail dealers, and farmers.....	4
5. Official numbers and inauguration of inspection.....	7
6. Assignment of division employees.....	9
7. Facilities for inspection.....	9
8. Sanitation.....	14
9. Ante-mortem inspection.....	21
10. Post-mortem inspection.....	30
11. Disposal of diseased carcasses and parts.....	37
12. Carcasses of animals slaughtered without ante-mortem inspection.....	54
13. Tank rooms and tanks.....	54
14. Tanking and denaturing condemned carcasses and parts.....	56
15. Rendering carcasses and parts into lard, rendered pork fat, and tallow, and other cooking.....	59
16. Marking, branding, and identifying products.....	61
17. Labeling.....	70
18. Reinspection and preparation of products.....	90
20. Reports.....	118
21. Appeals.....	118
22. Cooperation with local authorities.....	119
23. Bribery, counterfeiting, etc.....	119
24. Export stamps and certificates.....	120
25. Transportation.....	137
26. Federal Food, Drug, and Cosmetic Act.....	151
27. Imported products.....	152
28. Definitions and standards of identity.....	170
29. Inspection and handling of horse meat and products thereof.....	177
40. Identification and Certification Service for Meat and other Product.....	183
Laws under which the foregoing regulations are made:	
The Meat Inspection Act.....	186
The Imported Meat Act.....	193
Horse Meat Act.....	194
Regular Overtime Act.....	194
Import and Export Inspection Overtime Act.....	195
Index.....	197



# CODE OF FEDERAL REGULATIONS OF THE UNITED STATES OF AMERICA

## Title 9—Animals and Animal Products

### CHAPTER I—AGRICULTURAL RESEARCH SERVICE

#### Subchapter A—Meat Inspection Regulations

##### PART 1—DEFINITIONS

**§ 1.1 Definitions.** For the purposes of Parts 1 through 29 of this subchapter the following words, phrases, names, and terms shall be construed, respectively, to mean:

(a) **The Meat-Inspection Act.** An act making appropriations for the Department of Agriculture, for the fiscal year ending June 30, 1907, approved June 30, 1906 (34 Stat. 674–679), as reenacted by an act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1908, approved March 4, 1907 (34 Stat. 1260–1265), as amended and extended (21 U. S. C., 71–91, 96; 21 U. S. C., Sup. III, 71). (See p. 186.)

(b) **The Imported-Meat Act.** Section 306 of an act entitled “An act to provide revenue, to regulate commerce with foreign countries, to encourage the industries of the United States, to protect American labor, and for other purposes,” approved June 17, 1930 (46 Stat. 689; 19 U. S. C. 1306). (See p. 193.)

(c) **The Department.** The United States Department of Agriculture.

(d) **Agricultural Research Service.** The Agricultural Research Service of the U. S. Department of Agriculture.

(e) **Administrator.** The Administrator of the Agriculture Research Service.

(f) **Division.** The Meat Inspection Division of the Agricultural Research Service.

(g) **Inspector.** An inspector of the division.

(h) **Division employees.** Inspectors and all other individuals employed in the division who are authorized by the director of division to do any work or perform any duty in connection with meat inspection.

(i) **Official establishment.** Any slaughtering, meat canning, curing, smoking, salting, packing, rendering, or other similar establishment at which inspection is maintained under the regulations in Parts 1 through 29 of this subchapter.

(j) **Official station.** One or more official establishments included under a single supervision.

(k) **"Inspected and passed," or "U. S. inspected and passed," or "U. S. inspected and passed by Department of Agriculture," or any authorized abbreviations thereof.** The meat, meat byproducts, or meat food products so marked have been inspected and passed under the regulations in Parts 1 through 29 of this subchapter, and at the time they were inspected, passed, and so marked they were found to be sound, healthful, wholesome, and fit for human food.

(l) **"U. S. passed for cooking."** The meat and meat byproducts so marked have been inspected and passed on condition that they be rendered into lard, rendered pork fat, or tallow, as prescribed by Part 15 of this subchapter, or otherwise cooked by a method approved by the director of division.

(m) **"U. S. passed for refrigeration."** The meat and meat byproducts so identified have been inspected and passed on condition that they be refrigerated or otherwise handled as prescribed by Part 11 of this subchapter, or by a method approved by the director of division.

(n) **"U. S. inspected and condemned" or any authorized abbreviation thereof.** The carcass, viscera, part of carcass, meat, meat byproduct, or meat food product, so marked or so identified, is unsound, unhealthful, unwholesome, or otherwise unfit for human food.

(o) **"U. S. retained."** The carcass, viscera, part of carcass, meat, meat byproduct, meat food product, or other article so marked or identified is held for further examination by an inspector to determine its disposal.

(p) **"U. S. suspect."** The animal so marked is suspected of being affected with a disease or condition which may require its condemnation, in whole or in part, when slaughtered, and is subject to further examination by an inspector to determine its disposal.

(q) **"U. S. condemned."** The animal so marked has been inspected and found to be in a dying condition, or to be af-

fectured with any other condition or disease that would require condemnation of its carcass.

**(r) Inspection legend.** A mark or a statement, authorized by the regulations in Parts 1 through 29 of this subchapter, on a product or on the container of a product indicating that the product has been inspected and passed for food by an inspector.

**(s) Animal.** Cattle, sheep, swine, or goat.

**(t) Carcass.** All parts, including viscera, of a slaughtered animal that are capable of being used for human food.

**(u) Meat.** The edible part of the muscle of cattle, sheep, swine, or goats which is skeletal or which is found in the tongue, in the diaphragm, in the heart, or in the esophagus, with or without the accompanying and overlying fat, and the portions of bone, skin, sinew, nerve, and blood vessels which normally accompany the muscle tissue and which are not separated from it in the process of dressing. It does not include the muscle found in the lips, snout, or ears.

**(v) Meat byproduct.** Any edible part other than meat which has been derived from one or more cattle, sheep, swine or goats.

**(w) Meat food product.** Any article of food, or any article intended for or capable of being used as human food which is derived or prepared, in whole or in substantial and definite part, from any portion of any cattle, sheep, swine, or goat, except such articles as organo-therapeutic substances, meat juice, meat extract, and the like, which are only for medicinal purposes and are advertised only to the medical profession.

**(x) Product.** Any part or all of meat, meat byproduct, and meat food product.

**(y) Immediate container or true container.** The unit can, pot, tin, canvas, or other receptacle or covering in which any product is customarily shipped.

**(z) Shipping container or outside container.** The box, bag, barrel, crate, or other receptacle or covering enclosing any product packed in one or more immediate or true containers.

**(aa) Person.** Natural person, individual, firm, partnership, corporation, company, society, and association, and every officer, agent, or employee thereof. This term shall import either the singular or the plural as the case may be.



## PART 2—SCOPE OF INSPECTION

Sec.

- 2.1 Establishments requiring inspection.
- 2.2 Animals and product entering inspected establishments.
- 2.3 Horse slaughtering establishments requiring inspection.

**§ 2.1 Establishments requiring inspection.** Every establishment in which cattle, sheep, swine, or goats are slaughtered for transportation or sale as articles of interstate or foreign commerce, or in which meat, meat byproducts, or meat food products of, or derived from, cattle, sheep, swine, or goats are, wholly or in part, canned, cooked, cured, smoked, salted, packed, rendered, or otherwise prepared for transportation or sale as articles of interstate or foreign commerce, which are capable of being used as food for man, shall have inspection under the regulations in Parts 1 through 29 of this subchapter, except as expressly exempted by Part 4 of this subchapter.

**§ 2.2 Animals and product entering inspected establishments.** All cattle, sheep, swine, and goats and all product entering an establishment at which inspection is required by Parts 1 through 29 of this subchapter, and all product prepared, in whole or in part, therein, shall be inspected, handled, prepared, marked, and labeled as required by the regulations in Parts 1 through 29 of this subchapter.

**§ 2.3 Horse slaughtering establishments requiring inspection.** Every establishment in which horses are slaughtered for transportation or sale as articles of interstate or foreign commerce, or in which carcasses, parts of carcasses, meat, meat byproducts, or meat food products of, or derived from, horses are, wholly or in part, canned, cured, smoked, salted, packed, rendered, or otherwise prepared for transportation or sale as articles of interstate or foreign commerce, which are capable of being used as food for man, shall have inspection in accordance with the terms prescribed in Part 29 of this subchapter.

PART 4—APPLICATIONS FOR INSPECTION OR EXEMPTION;  
RETAIL BUTCHERS, RETAIL DEALERS, AND FARMERS

Sec.

- 4.1 Application for inspection or exemption.
- 4.2 Inspection; drawings, information to be furnished, subsidiary establishments, notice of grant of inspection, false statements.
- 4.3 Exemption.
- 4.4 Exemption; holders of, limited to supplying own customers .



## Sec.

4.5 Shipments of farm-dressed meat.

4.6 Inspection for violations.

**§ 4.1 Application for inspection or exemption.** (a) The proprietor or operator of each establishment of the kind specified in § 2.1 of this subchapter shall make application to the director of division for inspection or for exemption from inspection.

(b) The proprietor or operator of each establishment of the kind specified in § 2.3 of this subchapter shall make application to the director of division for inspection.

(c) Every application under this section shall be made on a form furnished by the division, Washington, D. C. In cases of change of ownership or change of location, a new application shall be made.

**§ 4.2 Inspection; drawings, information to be furnished, subsidiary establishments, notice of grant of inspection, false statements.** (a) Triplicate copies of complete drawings, with specifications, consisting of floor plans showing the locations of such features as the principal pieces of equipment, floor drains, principal drainage lines, hand-washing basins, and hose connections for cleanup purposes; roof plans; elevations; cross and longitudinal sections of the various buildings showing such features as principal pieces of equipment, heights of ceilings, conveyor rails, and character of floors and ceilings; and a plot plan showing such features as the limits of the plant's premises, locations in outline of buildings on the premises, cardinal points of the compass, and roadways and railroads serving the plant, properly drawn to scale, shall accompany applications for inspection. Applicants for inspection may request information from the director of division concerning the requirements before submitting plans.

(b) Each application shall specify the names, addresses, and forms of organization of subsidiaries for which inspection is requested to do any of the business described in §§ 2.1 or 2.3 of this subchapter.

(c) Notice in writing shall be given to each applicant granted inspection, specifying the establishment to which the same applies.

(d) The director of division is hereby authorized to determine whether applications for inspection or for exemption from inspection shall be granted or refused, and to

revoke his prior approval of any application if he determines that any false statement was made in such application.

**§ 4.3 Exemption.** (a) Retail butchers and retail dealers in product, supplying their customers as provided in the Meat Inspection Act, upon making application, pursuant to § 4.1, may be exempted from inspection. To each one so exempted a numbered certificate of exemption shall be furnished. No certificate of exemption shall be issued unless all the premises on which the products are prepared and handled are maintained in a sanitary condition. Failure by certificate holders to maintain sanitary conditions or to conform to such of the regulations in Parts 1 through 29 of this subchapter as apply to them shall be cause for withdrawal of exemption and the cancellation of certificates. Such exempted establishments shall conform to the same regulations as govern official establishments to the extent that such regulations are applicable, including but not limited to those regulations regarding labeling, the use of dyes, chemicals, and preservatives, and the prescribed treatment of pork to destroy trichinae as required under Part 18 of this subchapter.

(b) On request of the director of division, or an employee designated by him, an exempted establishment shall furnish such information concerning its business and operations as has a bearing on the exemption of the establishment from inspection.

(c) The director of division is hereby authorized to withdraw exemption from any exempted establishment which fails to comply with any applicable provision of the Meat-Inspection Act or of the regulations made pursuant thereto.

(d) A certificate of exemption will be issued only in one name at one location. A certificate will not be issued if any business is transacted at the location in the name of anyone other than the applicant for the certificate of exemption, for example, in the name of a parent company, subsidiary, or tenant of the applicant.

**§ 4.4 Exemption; holders of, limited to supplying own customers.** No establishment holding a certificate of exemption shall use the same for any purpose except to supply its own customers, as provided in the Meat-Inspection Act.

**§ 4.5 Shipments of farm-dressed meat.** The carcasses and products of animals slaughtered by any farmer on the

farm: *Provided*, They can be identified as such and are sound, healthful, wholesome, and fit for human food, and otherwise meet the requirements of the applicable regulations in Parts 1 through 29 of this subchapter, may be transported in interstate or foreign commerce under the provisions of § 25.11 of this subchapter. A farmer need not apply for exemption from inspection in order to procure the transportation of such carcasses and products.

**§ 4.6 Inspection for violations.** The issuance of certificates of exemption shall be conditioned on the granting of permission by the holder thereof to inspectors to make inspections to ascertain whether any of the regulations in Parts 1 through 29 of this subchapter have been violated. Inspectors shall make inspections to ascertain whether any of the regulations in Parts 1 through 29 of this subchapter applying to retail butchers, retail dealers, farmers, or other persons have been violated.

## PART 5—OFFICIAL NUMBERS AND INAUGURATION OF INSPECTION

Sec.

- 5.1 Official numbers; subsidiary establishments.
- 5.2 Separation of official from unofficial establishment.
- 5.3 Sanitation and adequate facilities.
- 5.4 Inauguration of inspection.
- 5.5 Withdrawal of inspection for violations of regulations.
- 5.6 Reports of violations of regulations.

### **§ 5.1 Official numbers; subsidiary establishments.**

(a) To each establishment granted inspection an official number shall be assigned. Such number shall be used to identify all inspected and passed products prepared in the establishment. More than one number shall not be assigned to an establishment.

(b) Two or more official establishments under the same ownership or control may be granted the same official number, provided a serial letter is added in each case to identify each establishment and the products thereof.

(c) When inspection has been granted to a person at an establishment, it shall not be granted to any other person at the same establishment, except that a subsidiary of the grantee, doing any of the business described in § 2.1 of this subchapter may apply for and receive inspection.

**§ 5.2 Separation of official from unofficial establishment.** (a) Each official establishment shall be separate and

distinct from any other official establishment, from any unofficial establishment in which any product is handled, and from any other unofficial establishment at the discretion of the director of division.

(b) Inspection shall not be inaugurated in any building any part of which is used as living quarters unless the part for which inspection is requested is separated from such quarters by floors, walls, and ceilings of solid concrete, brick, or similar material, and the floors, walls, and ceilings are without opening that directly or indirectly communicates with any part of the building used as living quarters.

**§ 5.3 Sanitation and adequate facilities.** Inspection shall not be begun if an establishment is not in a sanitary condition nor unless the establishment agrees to maintain such condition and provides adequate facilities for conducting such inspection.

**§ 5.4 Inauguration of inspection.** When an application for inspection is granted, the inspector in charge shall, at or prior to the inauguration of inspection, inform the proprietor or operator of the establishment of the requirements of these regulations. If the establishment, at the time inspection is inaugurated, contains any product which has not theretofore been inspected, passed, and marked in compliance with the regulations in Parts 1 through 29 of this subchapter, the identity of the same shall be maintained, and it shall not be transported or offered for transportation in interstate or foreign commerce, or otherwise dealt with as inspected and passed under the regulations in Parts 1 through 29 of this subchapter. The establishment shall adopt and enforce all necessary measures, and shall comply with all such directions as the inspector in charge may prescribe, for carrying out the purposes of this section.

**§ 5.5 Withdrawal of inspection for violations of regulations.** The director of division is hereby authorized to withdraw inspection from any official establishment which fails to comply with any provision of the Meat-Inspection Act or of the regulations made pursuant thereto.

**§ 5.6 Reports of violations of regulations.** Inspectors and other division employees shall report to the inspector in charge all violations and failures under § 5.5 of which they have knowledge, and the inspector in charge shall report the same to the director of division.



**PART 6—ASSIGNMENT OF DIVISION EMPLOYEES**

Sec.

- 6.1 Designation of inspector in charge and assistants.
- 6.2 Division employees to have access to establishments at all times.
- 6.3 Badge as identification of inspectors.
- 6.4 Assignment of inspectors where members of family employed; soliciting employment.

**§ 6.1 Designation of inspector in charge and assistants.**

The director of division shall designate an inspector in charge of the inspection at each official station, and assign to said inspector such assistants as may be necessary.

**§ 6.2 Division employees to have access to establishments at all times.** For the purpose of any examination or inspection necessary to enforce any of the provisions of the regulations contained in Parts 1 through 29 of this subchapter, division employees shall have access at all times, by day or night, whether the establishment is operated or not, to every part of any official establishment to which they are assigned.

**§ 6.3 Badge as identification of inspectors.** Each division employee will be furnished with a numbered official badge, which he shall not allow to leave his possession, and which he shall wear in such manner and at such times as the director of the division may prescribe. This badge shall be sufficient identification to entitle him to admittance at all regular entrances and to all parts of the establishment and premises to which he is assigned.

**§ 6.4 Assignment of inspectors where members of family employed; soliciting employment.** Except as specifically authorized by the director of division, no division employee shall be detailed for duty at an establishment where any member of his family is employed by the establishment, nor shall any inspector in charge or other employee acting in a supervisory capacity be continued on duty at an official station where any member of his family is employed by any establishment under his jurisdiction. Division employees are forbidden to solicit, for any person, employment at any official establishment, or by any officer, manager, or employee thereof.

**PART 7—FACILITIES FOR INSPECTION**

Sec.

- 7.1 Facilities for division employees.
- 7.2 Hours of operation of official establishments.
- 7.3 Designation of days and hours of operation by inspector in charge.
- 7.4 Overtime work of meat inspection employees.
- 7.5 Facilities and conditions to be provided by establishment.

Sec.

7.6 Inspectors to furnish implements and maintain hands and implements in sanitary condition.

**§ 7.1 Facilities for division employees.** Furnished office room, including light, heat, and janitor service, shall be provided by official establishments, rent free, for the exclusive use for official purposes of the inspector and other division employees assigned thereto. The room or rooms set apart for this purpose shall meet with the approval of the inspector in charge and shall be conveniently located, properly ventilated, and provided with lockers suitable for the protection and storage of division supplies and with facilities suitable for division employees to change clothing. Laundry service for inspectors' outer work clothing shall be provided by establishments.

**§ 7.2 Hours of operation of official establishments.** Each official establishment shall inform the inspector in charge, or his assistant, when work in each department has been concluded for the day, and of the day and hour when work will be resumed therein. Whenever any product is to be overhauled or otherwise handled in an official establishment during unusual hours, the establishment shall, a reasonable time in advance, notify the inspector in charge, or his assistant, of the day and hour when such work will be commenced, and such articles shall not be so handled except after such notice has been given. No department of an official establishment shall be operated except under the supervision of a division employee. All slaughtering of animals and preparation of products shall be done within reasonable hours, and with reasonable speed, the facilities of the establishment being considered. No shipment of any product shall be made from an official establishment until after due notice has been given to the inspector in charge or his assistant.

**§ 7.3 Designation of days and hours of operation by inspector in charge.** When one inspector is detailed to conduct the work at two or more official establishments where few animals are slaughtered or where but a small quantity of any product is prepared, the inspector in charge may designate the hours of the day and the days of the week during which such establishments may be operated.

**§ 7.4 Overtime work of meat inspection employees.<sup>1</sup>**

The management of an official establishment, an importer, or an exporter desiring to work under conditions which will require the services of an employee of the Division on any Saturday, Sunday, or holiday, or for more than 8 hours on any other day, shall, sufficiently in advance of the period of overtime, request the inspector in charge or his assistant to furnish inspection service during such overtime period, and shall pay the Administrator therefor an amount sufficient to reimburse the Service for the cost of the inspection services so furnished. It will be administratively determined from time to time which days constitute holidays.

**§ 7.5 Facilities and conditions to be provided by establishment.** When required by the director of division or the inspector in charge, the following facilities and conditions, and such others as may be essential to efficient conduct of inspection and maintenance of sanitary conditions, shall be provided by each official establishment:

(a) Satisfactory pens, equipment, and assistants for conducting ante-mortem inspection and for separating, marking, and holding apart from passed animals those marked "U. S. suspect" and those marked "U. S. condemned." Pens, alleys, and runways shall be paved, drained, and supplied with adequate hose connections for clean-up purposes. Sufficient light shall be provided for the inspection.

(b) Sufficient natural light and abundant artificial light at all places and such times of the day when natural light may not be adequate for proper conduct of inspection. Rooms shall be kept sufficiently free of steam and vapors for inspection to be properly made. Equipment or substances which generate gases or odors shall not be used except as specifically permitted by the director of division.

(c) Racks, receptacles, or other suitable devices for retaining such parts as the head, tongue, tail, thymus gland, and viscera, and all parts and blood to be used in the preparation of meat food products or medical products, until after the post-mortem examination is completed, in order that they may be identified in case of condemnation of the carcass; equipment, trucks, and receptacles for the handling

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<sup>1</sup> Authority for charging for overtime service: 7 U. S. C. 394 (41 Stat. 241) and 5 U. S. C. 576 (64 Stat. 561). (See pp. 194 and 195.)

of viscera of slaughtered animals so as to prevent contact with the floor; trucks, racks, marked receptacles, tables, or other necessary equipment for the separate and sanitary handling of carcasses or parts passed for cooking.

(d) Tables, benches, and other equipment on which inspection is performed, of such design, material, and construction as to enable division employees to conduct their inspection in a ready, efficient, and cleanly manner.

(e) Watertight metal trucks or receptacles for holding and handling diseased carcasses and parts, so constructed as to be readily cleaned; such trucks or receptacles to be marked in a conspicuous manner with the phrase "U. S. condemned" in letters not less than 2 inches high and, when required by the inspector in charge, to be equipped with facilities for locking or sealing.

(f) Adequate arrangements, including liquid soap and cleansers, for cleansing and disinfecting hands, for sterilizing all implements used in dressing diseased carcasses, floors, and such other articles and places as may be contaminated by diseased carcasses or otherwise.

(g) In establishments in which slaughtering is done, rooms, compartments, or specially prepared open places, to be known as "final inspection places," at which the final inspection of retained carcasses may be conducted. Competent assistants for handling retained carcasses and parts shall be provided by the establishment. Final inspection places shall be adequate in size and their rail arrangement and other equipment shall be sufficient to prevent carcasses and parts, passed for food or cooking, from being contaminated by contact with condemned carcasses or parts. They shall be equipped with hot water, lavatory, sterilizer, tables, and other equipment required for ready, efficient, and sanitary conduct of the inspection. The floors shall be of such construction as to facilitate the maintenance of sanitary conditions and shall have proper drainage connections, and when the final inspection place is part of a larger floor, it shall be separated by a curb, railing, or otherwise.

(h) Rooms, compartments, and receptacles in which carcasses and product may be held for further inspection. These shall be in such number and in such locations as the needs of the inspection in the establishment may require. They shall be equipped for secure locking and shall be held



under locks furnished by the Department, the keys of which shall not leave the custody of division employees. Every such room, compartment, or receptacle shall be marked conspicuously with the phrase "U. S. retained" in letters not less than 2 inches high. Rooms or compartments for these purposes shall be secure and susceptible of being kept clean, including a sanitary disposal of the floor liquids.

(i) Adequate facilities, including denaturing materials, for the proper disposal of condemned articles in accordance with the regulations in Parts 1 through 29 of this subchapter. Tanks or other rendering equipment which, under the regulations in Parts 1 through 29 of this subchapter, must be sealed, shall be properly equipped for sealing as may be specified by the director of division.

(j) Docks and receiving rooms, to be designated by the establishment, with the approval of the inspector in charge, for the receipt and inspection of all products as provided in § 18.4 of this subchapter.

(k) Suitable lockers in which brands bearing the inspection legend shall be kept when not in use. All such lockers shall be equipped for locking with locks to be supplied by the Department, the keys of which shall not leave the custody of division employees.

**§ 7.6 Inspectors to furnish implements and maintain hands and implements in sanitary condition.** Inspectors shall furnish their own work clothing and implements, such as knives, steels, flashlights, and triers, for conducting inspection and shall cleanse their hands and implements as prescribed by § 8.8 (c) of this subchapter.

## PART 8—SANITATION

Sec.

- 8.1 Examination and specifications for equipment and sanitation prior to granting inspection.
- 8.2 Drawings and specifications to be furnished in advance of construction.
- 8.3 Establishments; sanitary condition; requirements.
- 8.4 Sanitary facilities and accommodations; specific requirements.
- 8.5 Equipment to be easily cleaned; that for inedible products to be marked.
- 8.6 Scabbards for knives.
- 8.7 Rooms, compartments, etc., to be clean and sanitary.
- 8.8 Operations, procedures, rooms, clothing, utensils, etc., to be clean and sanitary.
- 8.9 Protective coverings for product.
- 8.10 Slack barrels and similar containers and vehicles and cars for product; paper in contact with product.
- 8.11 Burlap wrapping for meat; meat wrapped in, to be previously wrapped in paper or cloth.
- 8.12 Second-hand tubs, barrels, other containers, and tank cars; inspection and cleaning.
- 8.13 Inedible operating and storage rooms; outer premises, docks, driveways, approaches, pens, alleys, etc.; fly-breeding material; nuisances.
- 8.14 Employment of diseased persons.
- 8.15 Tagging insanitary equipment, utensils, rooms or compartments.

**§ 8.1 Examination and specifications for equipment and sanitation prior to granting inspection.** Prior to the inauguration of inspection, an examination of the establishment and premises shall be made by a division employee and the requirements for sanitation and the necessary facilities for inspection specified.

**§ 8.2 Drawings and specifications to be furnished in advance of construction.** Triplicate copies of drawings and specifications, complete as contemplated in § 4.2 of this subchapter, for remodeling plants of official establishments and for new structures shall be submitted to the director of division and approval obtained for the plans in advance of construction.

**§ 8.3 Establishments; sanitary condition; requirements.** (a) Official establishments and premises on or in which any product is prepared or handled by or for persons to whom certificates of exemption have been issued, shall be maintained in sanitary condition, and to this end the requirements of paragraphs (b) to (h), inclusive, of this section shall be complied with.

(b) There shall be abundant light, both natural and artificial, of good quality and well distributed, and sufficient

ventilation for all rooms and compartments to insure sanitary condition.

(c) There shall be an efficient drainage and plumbing system for the establishment and premises, and all drains and gutters shall be properly installed with approved traps and vents.

(d) (1) The water supply shall be ample, clean, and potable, with adequate facilities for its distribution in the plant and its protection against contamination and pollution. Every establishment shall make known and, whenever required, shall afford opportunity for inspection of the source of its water supply, the storage facilities, and the distribution system. Equipment using potable water shall be so installed as to prevent back-siphonage into the potable water system. Nonpotable water is permitted only in those parts of official establishments where no edible product is handled or prepared, and then only for limited purposes such as on ammonia condensers not connected with the potable water supply, in vapor lines serving inedible product rendering tanks, in connection with equipment used for hashing and washing inedible products preparatory to tanking, and in sewer lines for moving heavy solids in the sewage. Nonpotable water is not permitted for washing floors, areas, or equipment involved in trucking materials to and from edible products departments, nor is it permitted in hog scalding vats, dehairing machines, or vapor lines serving edible product rendering equipment, or for clean-up of shackling pens, bleeding areas, or runways within the slaughtering department. In all cases, nonpotable water lines shall be clearly identified and shall not be cross-connected with the potable water supply unless this is necessary for fire protection and such connection is of a type with an adequate break to assure against accidental contamination, and is approved by local authorities and by the director of division.

(2) Inspectors in charge may permit the reuse of water in vapor lines leading from deodorizers used in the preparation of lard and similar edible product and in equipment used for the chilling of canned product after retorting, provided the reuse is for the identical original purpose and the following precautions are taken to protect the water that is reused:

(i) All pipe lines, reservoirs, tanks, cooling towers, and like equipment employed in handling the reused water are so constructed and installed as to facilitate their cleaning and inspection.

(ii) Complete draining and disposal of the reused water, effective cleaning of the equipment, and renewal with fresh potable water is accomplished at such intervals as may be necessary to assure an acceptable supply of water for the purpose intended.

(iii) Effective chlorination (not less than approximately 1 part per million of residual chlorine at any point within the cooling system) of the reused water utilized for cooling canned product is maintained but with the understanding that chlorination alone is not to be relied upon entirely or to be accepted in lieu of the requirements listed in subdivisions (i) and (ii) of this subparagraph.

(3) An ample supply of water at not less than 180° F. shall be furnished and used for the cleaning of inspection equipment and other equipment, floors, walls, and the like, which are subject to contamination by the dressing or handling of diseased carcasses, their viscera and parts. Whenever necessary to determine compliance with this requirement, conveniently located thermometers shall be installed to show the temperature of the water at the point of use.

(4) Hot water for cleaning rooms and equipment other than those mentioned in subparagraph (3) of this paragraph shall be delivered under pressure to sufficient convenient outlets and shall be of such temperature as to accomplish a thorough clean-up.

(e) The floors, walls, ceilings, partitions, posts, doors, and other parts of all structures shall be of such materials, construction, and finish as will make them susceptible of being readily and thoroughly cleaned. The floors shall be kept watertight. The rooms and compartments used for edible products shall be separate and distinct from those used for inedible products.

(f) The rooms and compartments in which any product is prepared or handled shall be free from dust and from odors from dressing and toilet rooms, catchbasins, hide cellars, casing rooms, inedible tank and fertilizer rooms, and livestock pens.

(g) Every practicable precaution shall be taken to exclude flies, rats, mice, and other vermin from establish-



ments. The use of poisons for any purpose in rooms or compartments where any unpacked product is stored or handled is forbidden, except under such restrictions and precautions as the director of division may prescribe. The use of bait poisons in hide cellars, inedible compartments, outbuildings, or similar places, or in storerooms containing canned or tierced products is not forbidden but only those approved by the director of division may be used. So-called rat viruses shall not be used in any part of an establishment or the premises thereof.

(h) Dogs and cats shall be excluded from establishments.

**§ 8.4 Sanitary facilities and accommodations; specific requirements.** Adequate sanitary facilities and accommodations shall be furnished by every official establishment. Of these the following are specifically required:

(a) Dressing rooms, toilet rooms, and urinals shall be sufficient in number, ample in size, and conveniently located. The rooms shall be provided with windows to admit direct, natural light and shall have adequate facilities for artificial light. They shall be properly ventilated, and meet all requirements as to sanitary construction and equipment. They shall be separate from the rooms and compartments in which products are prepared, stored, or handled. Where both sexes are employed, separate facilities shall be provided.

(b) Modern lavatory accommodations, including running hot and cold water, soap, towels, etc. These shall be placed in or near toilet and urinal rooms and also at such other places in the establishment as may be essential to assure cleanliness of all persons handling product.

(c) Toilet soil lines shall be separate from house drainage lines to a point outside the buildings and drainage from toilet bowls and urinals shall not be discharged into a grease catchbasin.

(d) Properly located facilities for cleansing and disinfecting utensils and hands of all persons handling any product.

**§ 8.5 Equipment to be easily cleaned; that for inedible products to be marked.** Equipment and utensils used for preparing, processing, and otherwise handling any product shall be of such materials and construction as will make them susceptible of being readily and thoroughly cleaned and such as will insure strict cleanliness in the preparation and handling of all products. So far as is practicable, such equip-

ment shall be made of metal or other impervious material. Trucks and receptacles used for inedible materials shall be of similar construction and shall bear some conspicuous and distinctive mark, and shall not be used for handling edible products.

**§ 8.6 Scabbards for knives.** Scabbards and similar devices for the temporary retention of knives, steels, triers, etc., by workers and others at inspected establishments shall be constructed of rust-resisting metal or other impervious material, shall be of a type that may be readily cleaned, and shall be kept clean.

**§ 8.7 Rooms, compartments, etc., to be clean and sanitary.** Rooms, compartments, places, equipment, and utensils used for preparing, storing, or otherwise handling any product, and all other parts of the establishment, shall be kept clean and in sanitary condition. There shall be no handling or storing of materials which create an objectionable condition in rooms, compartments, or places where product is prepared, stored, or otherwise handled.

**§ 8.8 Operations, procedures, rooms, clothing, utensils, etc., to be clean and sanitary.** (a) Operations and procedures involving the preparation, storing, or handling of any product shall be strictly in accord with cleanly and sanitary methods.

(b) Rooms and compartments in which inspections are made and those in which animals are slaughtered or any product is processed or prepared shall be kept sufficiently free of steam and vapors to enable division employees to make inspections and to insure cleanly operations. The walls, ceilings, and overhead structures of rooms and compartments in which product is prepared, handled, or stored shall be kept reasonably free from moisture.

(c) Butchers and others who dress or handle diseased carcasses or parts shall, before handling or dressing other carcasses or parts, cleanse their hands with liquid soap and hot water, and rinse them in clean water. Implements used in dressing diseased carcasses shall be thoroughly cleansed in boiling water, or in a prescribed disinfectant followed by rinsing in clean water. The employees of the establishment who handle any product shall keep their hands clean, and in all cases after visiting the toilet rooms or urinals shall wash their hands before handling any product or implements used in the preparation of product.

(d) Aprons, frocks, and other outer clothing worn by persons who handle any product shall be of material that is readily cleansed and only clean garments shall be worn.

(e) Such practices as spitting on whetstones; spitting on the floor; placing skewers, tags, or knives in the mouth; inflating lungs or casings, or testing with air from the mouth such receptacles as tierces, kegs, casks, and the like, containing or intended as containers of any product, are prohibited. Only mechanical means may be used for testing. Care shall be taken to prevent the contamination of products with perspiration, hair, cosmetics, medicaments and the like.

**§ 8.9 Protective coverings for product.** Inspectors in charge shall require the use of such protective coverings for product as it is distributed from official establishments as will afford adequate protection for the product against dust, dirt, insects, and the like, considering the means intended to be employed in transporting the product from the establishment.

**§ 8.10 Slack barrels and similar containers and vehicles and cars for product; paper in contact with product.**

(a) When necessary to avoid contamination of product with wood splinters and the like, slack barrels and similar containers, and vehicles and cars shall be lined with suitable material of good quality before packing.

(b) Slack barrels and similar containers and vehicles and cars in which any product is transported shall be kept in a clean and sanitary condition.

(c) Paper used for covering or lining slack barrels and similar containers and vehicles and cars shall be of a kind which does not tear during use but remains intact when moistened by the product and does not disintegrate.

**§ 8.11 Burlap wrapping for meat; meat wrapped in, to be previously wrapped in paper or cloth.** Since burlap used without any other material as a wrapping for meat deposits lint on the meat and does not sufficiently protect it from outside contamination, the use of burlap as a wrapping for meat will not be permitted unless the meat is first wrapped with a good grade of paper or cloth of a kind which will prevent contamination with lint or other foreign matter.

**§ 8.12 Second-hand tubs, barrels, other containers, and tank cars; inspection and cleaning.** (a) Second-hand tubs, barrels, and boxes intended for use as containers of

any product shall be inspected when received at the establishment and before they are cleaned. Those showing evidence of misuse rendering them unfit to serve as containers for food products shall be rejected. The use of those showing no evidence of previous misuse may be allowed after they have been thoroughly and properly cleaned. Steaming, after thorough scrubbing and rinsing, is essential to cleaning tubs and barrels.

(b) Interiors of tank cars about to be used for the transportation of any product shall be carefully inspected for cleanliness even though the last previous content was edible. Lye and soda solutions used in cleaning must be thoroughly removed by rinsing with clean water. In their examinations division employees shall enter the tank with a light and examine all parts of the interior.

**§ 8.13 Inedible operating and storage rooms; outer premises, docks, driveways, approaches, pens, alleys, etc.; fly-breeding material; nuisances.** All operating and storage rooms and departments of official establishments used for inedible materials shall be maintained in acceptably clean condition. The outer premises of every official establishment, embracing docks and areas where cars and vehicles are loaded, and the driveways, approaches, yards, pens, and alleys, shall be properly paved and drained and kept in clean and orderly condition. All catchbasins on the premises shall be of such construction and location and shall be given such attention as will insure their being kept in acceptable condition as regards odors and cleanliness. Catchbasins shall not be located in departments where product is prepared, handled, or stored. The accumulation on the premises of establishments of any material in which flies may breed, such as hog hair, bones, paunch contents, or manure, is forbidden. No nuisance shall be allowed in any establishment or on its premises.

**§ 8.14. Employment of diseased persons.** No establishment shall employ, in any department where any product is handled or prepared, any person affected with tuberculosis or other communicable disease in a transmissible stage.

**§ 8.15 Tagging insanitary equipment, utensils, rooms or compartments.** When, in the opinion of a division employee, any equipment, utensil, room, or compartment at an official establishment is unclean or its use would be in violation of any of the regulations in this subchapter, he will



attach a "U. S. Rejected" tag thereto. No equipment, utensil, room, or compartment so tagged shall again be used until made acceptable. Such tag so placed shall not be removed by anyone other than a division employee.

### PART 9—ANTE-MORTEM INSPECTION

Sec.

- 9.1 Ante-mortem inspection in pens of official establishments: suspects.
- 9.2 Animals suspected of being diseased; disposition of on post-mortem inspection or otherwise; marking suspects; temperatures where disease suspected.
- 9.3 Marking animals "U. S. condemned" found diseased or in dying condition.
- 9.4 Cripples and downers.
- 9.5 Immature animals.
- 9.6 Animals showing symptoms of anaplasmosis, leptospirosis, listerellosis, parturient paresis, rabies, railroad sickness, or tetanus.
- 9.7 Hog cholera; swine injected with hog cholera virus.
- 9.8 Epithelioma of the eye of cattle.
- 9.9 Animals affected with anthrax; cleaning and disinfection of infected livestock pens and driveways.
- 9.10 Cattle affected with anasarca or generalized edema.
- 9.11 Tuberculin-test reactors.
- 9.12 Swine erysipelas.
- 9.13 Pregnancy or recent parturition.
- 9.14 Vaccine animals.
- 9.15 Emergency slaughter; inspection prior to.
- 9.16 Disposition of condemned animals.
- 9.17 Brucellosis-reactor goats.
- 9.18 Vesicular diseases.

**§ 9.1 Ante-mortem inspection in pens of official establishments; suspects.** (a) An ante-mortem examination and inspection shall be made of all cattle, sheep, swine, and goats about to be slaughtered in an official establishment before their slaughter shall be allowed. Such inspection shall be made on the day of slaughter.

(b) Such ante-mortem inspection shall be made in pens on the premises of the establishment in which the animals are about to be slaughtered. When the holding pens of an official establishment are located in a public stock yard and are reserved for the exclusive use of the establishment, such pens shall be regarded as part of the premises of that establishment and the establishment shall be responsible therein for all requirements of Parts 1 through 29 of this subchapter.

(c) Every animal required to be marked as a suspect on ante-mortem inspection in the pens of an official establishment shall be set apart, and except as hereinafter provided, shall be slaughtered separately from other animals at that establishment unless disposed of as otherwise provided in this part.

**§ 9.2 Animals suspected of being diseased; disposition of on post-mortem inspection or otherwise; marking suspects; temperatures where disease suspected.** (a) Any animal which, on ante-mortem inspection, does not plainly show, but is suspected of being affected with, any disease or condition that, under Parts 1 through 29 of this subchapter, may cause condemnation of the carcass on post-mortem inspection, and any animal which shows, on ante-mortem inspection, any disease or condition that, under Parts 1 through 29 of this subchapter, would cause condemnation of only part of the carcass on post-mortem inspection, shall be so marked as to retain its identity as a suspect until final post-mortem inspection, when the carcass shall be marked and disposed of as provided elsewhere in Parts 1 through 29 of this subchapter, or until disposed of as otherwise provided for in this part.

(b) All animals required by Parts 1 through 29 of this subchapter to be treated as suspects, or to be marked as suspects, or to be marked so as to retain their identity as suspects, shall be marked by or under the supervision of a division employee "U. S. suspect," or with other distinctive mark or marks to indicate that they are suspects as the director of division may adopt, such as provided under § 9.11. No such mark shall be removed except by a division employee.

(c) Each animal marked "U. S. suspect" on ante-mortem inspection, and animals treated as suspects such as provided under § 9.11, when presented for slaughter shall be accompanied with a Form MI 402-2, on which shall be recorded the suspect tag number and any other identifying tag numbers present and a brief description of the animal and of the disease or condition for which the animal was classed as a suspect, including its temperature when the temperature of such animal might have a bearing on the disposition of the carcasses on post-mortem inspection.

(d) Any swine having a temperature of 106° F. or higher and any cattle, sheep, or goats having a temperature of

105° F. or higher shall be marked "U. S. condemned." In case of doubt as to the cause of the high temperature, or when for other reasons such action appears warranted, any such animals may be held for a reasonable time, under the supervision of a division employee, for further observation and taking of temperature before final disposition of such animals is determined.

(e) When any animal tagged "U. S. suspect" is released for any purpose or reason, as provided in this part, the tag shall be removed by a division employee and his action reported to the inspector in charge.

**§ 9.3 Marking animals "U. S. condemned" found diseased or in dying condition.** (a) All animals plainly showing on ante-mortem inspection any disease or condition that, under Parts 1 through 29 of this subchapter, would cause condemnation of their carcasses on post-mortem inspection shall be marked "U. S. condemned" and disposed of in accordance with § 9.16.

(b) Animals received for slaughter and found in a dying condition on premises of an official establishment shall be marked "U. S. condemned" and disposed of in accordance with § 9.16.

(c) Reactors to the tuberculin test, required by this section to be condemned, should be autopsied and the findings made the subject of a special report.

(d) Any animal found in a comatose or semicomatose condition or affected with any condition not otherwise covered in this part which would not warrant release of the animal for slaughter for food shall be marked "U. S. condemned" and disposed of in accordance with § 9.16 except that such animal may be set apart and held for further observation or treatment under division or other responsible official supervision.

**§ 9.4 Cripples and downers.** All seriously crippled animals and animals commonly termed "downers," if not marked "U. S. condemned," as required elsewhere in this part, shall be marked and treated as suspects in accordance with § 9.2.

**§ 9.5 Immature animals.** Animals which are offered for ante-mortem inspection under this part, and which are regarded as immature, shall be marked "U. S. suspect," and, if slaughtered, the disposition of their carcasses shall be determined by the post-mortem findings in connection with

the ante-mortem conditions. If not slaughtered as suspects, such animals shall be held under division or other responsible official supervision, and after sufficient development may be released for slaughter, or may be released for any other purpose, provided they have not been exposed to any infectious or contagious disease.

**§ 9.6 Animals showing symptoms of anaplasmosis, leptospirosis, listerellosis, parturient paresis, rabies, railroad sickness, or tetanus.** (a) All animals showing on ante-mortem inspection symptoms of anaplasmosis, leptospirosis, listerellosis, parturient paresis, rabies, railroad sickness, or tetanus shall be marked "U. S. condemned" and disposed of in accordance with § 9.16, except that cattle showing symptoms of anaplasmosis, leptospirosis, listerellosis, parturient paresis, or railroad sickness may be set apart and held for treatment under division or other responsible official supervision. If, at the expiration of the treatment period, animals upon examination are found to be free from disease, they may be released for any purpose in accordance with § 9.16, except that when released for slaughter at the official establishment, animals which have been previously affected with listerellosis shall be marked "U. S. suspect."

(b) Animals which have reacted to a test for leptospirosis, but which show no symptoms of the disease, shall be marked "U. S. suspect."

**§ 9.7 Hog cholera; swine injected with hog-cholera virus.** (a) All hogs plainly showing on ante-mortem inspection that they are affected with hog cholera shall be marked "U. S. condemned" and disposed of in accordance with § 9.16.

(b) If a hog has a temperature of 106° F. or higher, and is of a lot in which there are symptoms of hog cholera, in case of doubt as to the cause of the high temperature, after being marked for identification, it may be held for a reasonable time, under the supervision of a division employee for further observation and taking of temperature. Any hog so held shall be reinspected on the day it is slaughtered. If, upon such reinspection, or when not held for further observation and taking of temperature, then on the original inspection, the hog has a temperature of 106° F. or higher, it shall be condemned and disposed of in accordance with § 9.16.



(c) All hogs, even though not themselves marked as suspects, which are of lots one or more of which have been condemned or marked as suspects for hog cholera, shall, so far as possible, be slaughtered separately and apart from all other animals passed on ante-mortem inspection.

(d) A hog suspected of being affected with hog cholera may be set apart and held for treatment under division or other responsible official supervision. If at the expiration of the treatment period the animal, upon examination, is found to be free from disease, it may be released for any purpose, including slaughter.

(e) Swine, other than hyperimmune swine, shall be condemned on ante-mortem inspection if offered for slaughter within 28 days after injection with hog-cholera virus.

(f) Swine, other than hyperimmune swine, offered for slaughter after 28 days following injection with hog-cholera virus shall be given ante-mortem inspection in conformity with Parts 1 through 29 of this subchapter without reference to the injected virus.

(g) Hyperimmune swine shall be condemned on ante-mortem inspection if offered for slaughter within 10 days after hyperimmunization.

(h) Hyperimmune swine offered for slaughter after 10 days following hyperimmunization shall be given ante-mortem inspection in conformity with Parts 1 through 29 of this subchapter without reference to the injected virus.

**§ 9.8 Epithelioma of the eye of cattle.** (a) Any animal found on ante-mortem inspection to be affected with epithelioma of the eye and of the orbital region in which the eye has been destroyed or obscured by neoplastic tissue and which shows extensive infection, suppuration, and necrosis, usually accompanied with foul odor, or any animal affected with epithelioma of the eye or of the orbital region which, regardless of extent, is accompanied with cachexia shall be marked "U. S. condemned" and disposed of in accordance with § 9.16.

(b) Any animal found on ante-mortem inspection to be affected with epithelioma of the eye or of the orbital region to a lesser extent than in (a) shall be marked "U. S. suspect" and disposed of as provided in Parts 1 through 29 of this subchapter.

**§ 9.9 Animals affected with anthrax; cleaning and disinfection of infected livestock pens and driveways.**

(a) Any animal found on ante-mortem inspection to be affected with anthrax shall be marked "U. S. condemned" and disposed of in accordance with § 9.16.

(b) No animal of a lot in which anthrax is found on ante-mortem inspection shall be presented for post-mortem inspection until it has been determined by a careful ante-mortem inspection that no infected animal remains in the lot. Apparently healthy animals other than hogs shall be held as provided for in paragraph (c) of this section. If desired, all apparently healthy animals of the lot may be segregated and held for treatment by a competent veterinarian under division or other responsible official supervision. No anthrax vaccine (live organisms) shall be used on the premises of an official establishment.

(c) Apparently healthy animals of a lot of cattle, calves, sheep, or goats in which anthrax is detected, and animals which have been treated with anthrax biologicals which do not contain living anthrax organisms, shall not be presented for post-mortem inspection in less than 21 days following the last treatment or the last death. Treatment with anthrax vaccine (live organisms) must be elsewhere than on the official premises and subject to the conditions stated in paragraph (d) of this section.

(d) Animals which have been injected with anthrax vaccines (live organisms) within six weeks, and those bearing evidence of reaction to such treatment, such as inflammation, tumefaction, or edema at the site of the injection, shall be condemned on ante-mortem inspection, or such animals may be held under division or other responsible official supervision until the expiration of the 6-week period and the disappearance of any reaction to the treatment.

(e) When animals are found on ante-mortem inspection to be affected with anthrax, the cleaning and disinfection of exposed livestock pens and driveways of the official establishment shall consist of promptly and thoroughly removing and burning all straw, litter, and manure. This should be followed immediately by a thorough disinfection of the exposed premises by soaking the ground, fences, gates, and all exposed material with a 5-percent solution of sodium hydroxide or commercial lye prepared as outlined in § 10.9 (e) (1) of this subchapter, or other disinfectant approved by the director of division specifically for this purpose.

**§ 9.10 Cattle affected with anasarca or generalized edema.** (a) All cattle found on ante-mortem inspection to be affected with anasarca in advanced stages and characterized by an extensive and generalized edema shall be marked "U. S. condemned" and disposed of in accordance with § 9.16.

(b) Cattle found on ante-mortem inspection to be affected with anasarca to a lesser extent than in paragraph (a) of this section shall be marked "U. S. suspect" and disposed of as provided elsewhere in Parts 1 through 29 of this subchapter.

(c) An animal suspected of being affected with anasarca may be set apart and held for treatment under division or other responsible official supervision. If at the expiration of the treatment period the animal upon examination is found to be free from disease, it may be released for any purpose.

**§ 9.11 Tuberculin-test reactors.** Animals which are known to have reacted to the tuberculin test and which are to be slaughtered at an official establishment shall be marked and treated as suspects in accordance with § 9.2, except that animals bearing an official "USBAI Reacted" or similar State reactor tag should not be tagged "U. S. suspect."

**§ 9.12 Swine erysipelas.** (a) All hogs plainly showing on ante-mortem inspection that they are affected with acute swine erysipelas shall be marked "U. S. condemned" and disposed of in accordance with § 9.16.

(b) All hogs suspected on ante-mortem inspection of being affected with swine erysipelas shall be marked and treated as suspects and disposed of in accordance with Parts 1 through 29 of this subchapter.

(c) A hog suspected of being affected with swine erysipelas may be set apart and held under division or other responsible official supervision for treatment. If at the expiration of the treatment period the animal upon examination is found to be free from disease, it may be released for any purpose.

**§ 9.13 Pregnancy or recent parturition.** The slaughter of an animal which has been marked as a suspect on account of advanced pregnancy or on account of having recently given birth to young, and which has not been exposed to any infectious or contagious disease, is not required. Such animal, together with its young, may be released for breeding

or dairy purposes, and when released shall be removed promptly from the stockyards or premises of the establishment where inspected. Such animals may be held at the establishment for a period of not less than 10 days. At the completion of this holding period if the animals appear normal and have not been exposed to contagious or infectious disease, they may be released for slaughter or for any other purpose.

**§ 9.14 Vaccine animals.** Vaccine animals with unhealed lesions of vaccinia, accompanied with fever, which have not been exposed to any other infectious or contagious disease, are not required to be slaughtered and may be released for removal from the premises.

**§ 9.15 Emergency slaughter; inspection prior to.** In all cases of emergency slaughter, except as provided in § 11.29 of this subchapter, the animals shall be inspected immediately before slaughter, whether theretofore inspected or not. When the necessity for emergency slaughter exists, the establishment shall notify the inspector in charge or his assistant so that such inspection may be made.

**§ 9.16 Disposition of condemned animals.** Except as otherwise provided in this part, animals marked "U. S. condemned" shall be killed by the official establishment, if not already dead. Such animals shall not be taken into an establishment to be slaughtered or dressed; nor shall they be conveyed into any department of the establishment used for edible products; but they shall be disposed of and tanked in the manner provided for condemned carcasses in Part 14 of this subchapter. The "U. S. condemned" tag shall not be removed from, but shall remain on, the carcass until it goes into the tank, at which time the tag may be removed by a division employee only. The number of such tag shall be reported to the inspector in charge by the inspector who affixed it, and also by the inspector who supervised the tanking of the carcass. Any animal condemned on account of hog cholera, swine erysipelas, vesicular exanthema, vesicular stomatitis, railroad sickness, parturient paresis, anasarca, anaplasmosis, leptospirosis, listerellosis, or inflammatory condition including pneumonia, enteritis, and peritonitis, may be set apart and held for treatment under division or other responsible official supervision. The "U. S. condemned" tag will be removed by a division employee either when the animal is released to a responsible official



for treatment, or following treatment under division supervision if the animal is found to be free from disease. When an animal under the provisions of these regulations is to be released for a purpose other than slaughter, the official establishment or the owner of the animal shall first obtain permission for the movement of such animal from the local State or Federal livestock sanitary official having jurisdiction.

**§ 9.17 Brucellosis-reactor goats.** Goats which have reacted to a test for brucellosis shall not be slaughtered in an official establishment.

**§ 9.18 Vesicular diseases.** (a) Immediate notification shall be given to the local State and Federal livestock sanitary officials having jurisdiction when an animal is found to be affected with a vesicular disease.

(b) No animal under quarantine by State or Federal livestock sanitary officials on account of a vesicular disease will be given ante-mortem inspection.

(c) If no quarantine is invoked, or if a quarantine is invoked and later lifted, ante-mortem inspection shall be as follows:

(1) Any animal affected with vesicular exanthema or vesicular stomatitis in the acute stages, as evidenced by acute and active lesions or an elevated temperature, shall be marked "U. S. condemned" and disposed of in accordance with § 9.16.

(2) Any animal affected with vesicular exanthema, or vesicular stomatitis, but which has recovered to the extent that the lesions are in process of healing, the temperature is within normal range, and the animal shows a return to normal appetite and activity, shall be marked "U. S. suspect" and disposed of in accordance with § 9.2, except that if desired, such animal may be set apart and held under division or other responsible official supervision for treatment. If the animal is set aside for treatment, the "U. S. suspect" tag will be removed by a division employee, either when the animal is released for treatment to a responsible official, or following treatment while under the custody of a division employee if the animal is found to be free from disease. Such animal, found to be free from disease, may be released for slaughter or for purposes other than slaughter: *Provided*, That in the latter instance, the official establishment

or the owner of the animal shall first obtain permission from the local State or Federal livestock sanitary official having jurisdiction of the movement of such animal.

### PART 10—POST-MORTEM INSPECTION

- Sec.
- 10.1 Extent and time of post-mortem inspection.
  - 10.2 Organs and parts to be held pending final inspection of carcasses.
  - 10.3 Carcasses and parts in certain instances to be retained.
  - 10.4 Identification of carcasses and parts; tagging.
  - 10.5 Condemned carcasses and parts to be so marked; tanking; separation.
  - 10.6 Carcasses and parts passed for cooking; marking.
  - 10.7 Disposal of parts showing localized lesions; removal of spermatic cords and pizzles.
  - 10.8 Passing and marking of carcasses and parts.
  - 10.9 Anthrax; carcasses not to be eviscerated; carcasses affected to be tanked immediately; hides, hoofs, horns, hair, viscera and contents, and fat to be tanked; handling of blood and scalding vat water; general clean-up and disinfection.
  - 10.10 Carcasses with skin or hide on; cleaning before evisceration; removal of larvae of *Oestrus bovis*.
  - 10.11 Cleaning of hog carcasses before incising.
  - 10.12 Sternum to be split; abdominal and thoracic viscera to be removed.
  - 10.13 Carcasses or parts thereof not to be inflated; transferring caul or other fat.
  - 10.14 Handling of bruised parts.
  - 10.15 Skins from diseased swine; removal from establishments; disinfection; separate compartments.
  - 10.16 Hyperimmune swine bled before entering official establishments.
  - 10.17 Inspection of cattle, calf, and sheep lungs; hog lungs not to be saved as edible.
  - 10.18 Inspection of mammary glands.

**§ 10.1 Extent and time of post-mortem inspection.** A careful post-mortem examination and inspection shall be made of the carcasses and parts thereof of all cattle, sheep, swine, and goats slaughtered at official establishments. Such inspection and examination shall be made at the time of slaughter, except in cases of emergencies provided for in § 11.29 of this subchapter.

**§ 10.2 Organs and parts to be held pending final inspection of carcasses.** The head, tongue, tail, thymus gland, and all viscera, and all parts and blood to be used in the preparation of meat food products or medical products, shall be held in such manner as to preserve their identity until after post-mortem examination has been completed, in

order that they may be identified in case the carcass is condemned, passed for cooking or held for refrigeration.

**§ 10.3 Carcasses and parts in certain instances to be retained.** Each carcass, including all detached parts and organs thereof, in which any lesion or other condition is found that might render the meat or any part or organ unfit for food purposes, and which for that reason would require a subsequent inspection, shall be retained by the division employee at the time of inspection. The identity of every such retained carcass, detached part, and organ thereof shall be maintained until the final inspection has been completed. Retained carcasses shall not be washed or trimmed unless authorized by the inspector.

**§ 10.4 Identification of carcasses and parts; tagging.** Such devices and methods as may be approved by the director of division may be used for the temporary identification of retained carcasses, parts, or organs. In all cases the identification shall be further established by affixing "U. S. retained" tags as soon as practicable and before final inspection. These tags shall not be removed except by a division employee.

**§ 10.5 Condemned carcasses and parts to be so marked; tanking; separation.** Each carcass or part which is found on final inspection to be unsound, unhealthful, unwholesome, or otherwise unfit for human food shall be conspicuously marked on the surface tissues thereof by a division employee at the time of inspection "U. S. inspected and condemned." Condemned detached parts and organs of such character that they cannot be so marked shall be placed immediately in trucks or receptacles which shall be kept plainly marked "U. S. inspected and condemned," in letters not less than 2 inches high. All condemned carcasses, parts, and organs shall remain in the custody of a division employee and shall be tanked as required in the regulations in Parts 1 through 29 of this subchapter at or before the close of the day on which they are condemned.

**§ 10.6 Carcasses and parts passed for cooking; marking.** Carcasses and parts passed for cooking shall be marked conspicuously on the surface tissues thereof by a division employee at the time of inspection, "U. S. passed for cooking." All such carcasses and parts shall be cooked in accordance with Part 15 of this subchapter, and until so cooked shall remain in the custody of a division employee.

**§ 10.7 Disposal of parts showing localized lesions; removal of spermatic cords and pizzles.** (a) In all cases where carcasses showing localized lesions are passed for food or for cooking, the diseased parts shall be removed before the "U. S. retained" tag is taken from the carcass, and such parts shall be condemned.

(b) Spermatic cords shall be removed from hog carcasses, and pizzles from all carcasses.

**§ 10.8 Passing and marking of carcasses and parts.** Carcasses and parts found to be sound, healthful, wholesome, and fit for human food shall be passed and marked as elsewhere provided in Parts 1 through 29 of this subchapter.

**§ 10.9 Anthrax; carcasses not to be eviscerated; carcasses affected to be tanked immediately; hides, hoofs, horns, hair, viscera and contents, and fat to be tanked; handling of blood and scalding vat water; general clean-up and disinfection.** (a) Carcasses found before evisceration to be affected with anthrax shall not be eviscerated but shall be retained, condemned, and immediately tanked or otherwise disposed of as provided in Part 14 of this subchapter.

(b) All carcasses and all parts, including hides, hoofs, horns, hair, viscera and contents, blood and fat, found to be affected with anthrax shall be condemned and immediately disposed of as provided in Part 14 of this subchapter, except that the blood may be handled through the usual blood cooking and drying equipment.

(c) The part of any carcass contaminated with anthrax-infected material through contact with soiled instruments or otherwise shall be immediately condemned and disposed of as provided in Part 14 of this subchapter.

(d) The scalding vat water through which hog carcasses affected with anthrax have passed shall be immediately drained into the sewer and all parts of the scalding vat shall be cleaned and disinfected as provided in paragraph (e) of this section.

(e) (1) That portion of the slaughtering department (bleeding area, scalding vat, gambrelling bench, floors, walls, posts, platforms, saws, cleavers, knives, hooks, and the like), as well as employees' boots and aprons contaminated through contact with anthrax-infected material, shall, except as provided in subparagraph (2) of this paragraph, be cleaned immediately and disinfected with one of the following



disinfectants or other disinfectant approved specifically for this purpose by the director of division :

(i) A 5 percent solution of sodium hydroxide or commercial lye containing at least 94 percent of sodium hydroxide. The solution should be prepared freshly immediately before use by dissolving  $2\frac{1}{2}$  pounds of sodium hydroxide or lye in  $5\frac{1}{2}$  gallons of hot water and should be applied as near scalding hot as possible to be most effective. (Owing to the extreme caustic nature of sodium hydroxide solution, precautionary measures such as the wearing of rubber gloves and boots to protect the hands and feet, and goggles to protect the eyes, should be taken by those engaged on the disinfection job. It is also advisable to have an acid solution, such as vinegar, in readiness in case any of the sodium hydroxide solution should come in contact with any part of the body.)

(ii) A solution of sodium hypochlorite containing approximately one-half of 1 percent (5,000 parts per million) of available chlorine. The solution should be freshly prepared.

(iii) When a disinfectant solution has been applied to equipment which will afterwards contact meat, the equipment shall be rinsed with clean water before again being used.

(2) In case anthrax infection is found in the hog slaughtering department, an immediate preliminary disinfection shall extend from the head-dropper's station to the point where the disease is detected and the affected carcasses shall be cut down and removed from the room. Upon completion of the slaughtering of the lot of hogs of which the anthrax-infected animals were a part, slaughtering operations shall cease, and a thorough cleanup and disinfection shall be made, as provided in subparagraph (1) of this paragraph. If the slaughter of the lot has not been completed by the close of the day, the cleanup and disinfection shall not be deferred beyond the close of the day on which anthrax was detected.

(3) The first and indispensable precautionary step for persons who have handled anthrax material is thorough cleansing of the hands and arms with liquid soap and running hot water. It is important that this step be taken immediately after exposure, before vegetative anthrax organisms have had time to form spores. In the cleansing, a brush or other appropriate appliance should be used to insure the removal of all contaminating material from under



and about the fingernails. This process of cleansing is most effective when performed in repeated cycles of lathering and rinsing, rather than in spending the same amount of time in scrubbing with a single lathering. After the hands have been cleansed thoroughly and rinsed free of soap, they may, if desired, be immersed for about one minute in a 1:1,000 solution of bichloride of mercury, followed by thorough rinsing in clean running water. Supplies of bichloride of mercury for the purpose must be held in the custody of the inspector in charge. As a precautionary measure, all persons exposed to anthrax infection should report promptly any suspicious condition (sore or carbuncle) or symptom to a physician, in order that antianthrax serum or other treatment may be administered as indicated.

**§ 10.10 Carcasses with skin or hide on; cleaning before evisceration; removal of larvae of *Oestrus bovis*.** When a carcass is to be dressed with the skin or hide left on, the skin or hide shall be thoroughly washed and cleaned before any incision is made for the purpose of removing any part thereof or evisceration, except that where calves are slaughtered by the kosher method, the heads shall be removed from the carcasses before washing of the carcasses. The skin shall be removed at the time of post-mortem inspection from any calf carcass infested with the larvae of the "ox-warble" fly (*Hypoderma lineata* and *Hypoderma bovis*).

**§ 10.11 Cleaning of hog carcasses before incising.** All hair, scurf, and dirt, including all hoofs and claws, shall be removed from hog carcasses, and the carcasses thoroughly washed and cleaned before any incision is made for inspection or evisceration.

**§ 10.12 Sternum to be split; abdominal and thoracic viscera to be removed.** The sternum of each carcass shall be split and the abdominal and thoracic viscera removed at the time of slaughter in order to allow proper inspection.

**§ 10.13 Carcasses or parts thereof not to be inflated; transferring caul or other fat.** Carcasses or parts of carcasses shall not be inflated with air. Transferring the caul or other fat from a fat to a lean carcass is prohibited.

**§ 10.14 Handling of bruised parts.** When only a portion of a carcass is to be condemned on account of slight bruises, either the bruised portion shall be removed immediately and disposed of in accordance with Part 14 of this

subchapter, or the carcass shall be promptly placed in a retaining room and kept until chilled and the bruised portion then removed and disposed of as provided above.

**§ 10.15 Skins from diseased swine; removal from establishments; disinfection; separate compartments.** The skins from swine condemned for tuberculosis or any disease communicable to man or other animal may be removed from the establishment, except as provided in § 10.9, for tanning or other industrial use; but they shall be removed for these uses only after they have been disinfected, as follows: Each skin shall be immersed for not less than 5 minutes in a 5-percent solution of liquor cresolis compositus, or a 5-percent solution of carbolic acid, or shall be otherwise treated as prescribed by the director of division. The process of skinning and disinfecting shall be conducted in a specially prepared place approved by the inspector in charge, and under the supervision of a division employee.

**§ 10.16 Hyperimmune swine bled before entering official establishments.** Carcasses of hyperimmune swine which have been given the final bleeding at a serum plant under supervision of the Animal Inspection and Quarantine Division may be transferred to an official establishment for dressing and post-mortem inspection in accordance with the provisions of this part when authorized by the director of division. The transfer of such carcasses to the official establishment shall be made as promptly as possible and their delivery to the scalding vat shall be accomplished within 1 hour from the time bleeding is completed. The identity of the carcasses of hyperimmune swine shall be maintained in such manner as to positively identify them and to indicate the time of final bleeding. Procedures for maintaining this identity shall be such as will serve the purposes of the Animal Inspection and Quarantine Division and the Meat Inspection Division, and shall be formulated by the inspectors in charge of the divisions involved. Each day that hyperimmune swine are presented for post-mortem inspection an ante-mortem report MI 402-1 covering such swine shall be rendered by the inspector at the serum plant and furnished the inspector in charge of meat inspection.

**§ 10.17 Inspection of cattle, calf, and sheep lungs; hog lungs not to be saved as edible.** (a) All cattle, calf, and sheep lungs intended for food purposes shall be inspected to

determine whether foreign matter is present in the air passages. The main bronchi and branches shall be slit by employees of the establishment as required by the inspector, and, if ingesta or other objectionable foreign matter has entered these passages, the lungs shall be condemned.

(b) Hog lungs shall not be saved as edible product.

**§ 10.18 Inspection of mammary glands.** (a) Lactating mammary glands and diseased mammary glands of cattle, sheep, swine, and goats shall be removed without opening the milk ducts or sinuses. If pus or other objectionable material is permitted to come in contact with the carcass, the parts of the carcass thus contaminated shall be removed and condemned.

(b) Cow udders may be saved for food purposes, provided suitable facilities for handling and inspecting them are provided.

(c) The inspection of udders from cows which have been kept for breeding purposes only shall consist of examination by palpation and, when necessary, by incision. The inspection of udders from cows which have been used for dairy purposes shall include slicing in sections about 2 inches in thickness. This slicing shall be done by establishment employees. The udders in the sliced condition shall be given a careful examination by division employees. The inspector will designate the udders which are to be sliced. When there is any doubt as to whether the udder is from a cow which has been used for breeding purposes only, then the udder shall be sliced and inspected as provided for udders from cows used for dairy purposes. Each udder shall be properly identified with its respective carcass and kept separate and apart from other udders until its disposal has been determined, when it may be further handled as the conditions warrant.

(d) The udders from cows officially designated as "Bang's disease reactors" or as "mastitis elimination cows" shall not be utilized for edible purposes.

(e) Lactating mammary glands of swine intended for edible purposes shall be handled and inspected in the same manner as provided in paragraph (c) of this section for the udders of cows used for dairy purposes, except that the sliced sections shall be about 1 inch in thickness. Glands that are passed may be distributed as such but their use in meat food products is limited to the preparation of rendered pork fat.

**PART 11—DISPOSAL OF DISEASED CARCASSES AND PARTS**

- Sec.
- 11.1 Disposal of diseased carcasses and parts; general.
  - 11.2 Tuberculosis; principles for guidance in passing on carcasses affected.
  - 11.3 Disposition when affected with tuberculosis.
  - 11.4 Hog cholera; disposition of hog carcasses on account of.
  - 11.5 Carcasses of swine injected with hog cholera virus.
  - 11.6 Swine erysipelas.
  - 11.7 Diamond-skin disease.
  - 11.8 Arthritis and polyarthritis.
  - 11.9 Cattle carcasses affected with anasarca or generalized edema.
  - 11.10 Actinomycosis and actinobacillosis; disposition of carcasses and parts.
  - 11.11 Anthrax, bacillary hemoglobinuria in cattle, blackleg, hemorrhagic septicemia, ictero-hematuria in sheep, malignant epizootic catarrh, piroplasmosis, pyemia, septicemia, unhealed vaccine lesions; carcasses affected with, to be condemned.
  - 11.12 Malignant neoplasms; disposition of organs, parts, or carcasses.
  - 11.13 Epithelioma of the eye of cattle.
  - 11.14 Carcasses showing disease such as generalized melanosis, etc., affecting the system to be condemned.
  - 11.15 Abrasions, bruises, tumors, abscesses, pus, etc.; disposition of carcasses and parts.
  - 11.16 Brucellosis.
  - 11.17 Carcasses so infected that consumption of the meat may cause food poisoning shall be condemned.
  - 11.18 Necrobacillosis, pyemia, septicemia; disposition of carcasses.
  - 11.19 Caseous lymphadenitis; disposition of carcasses and parts.
  - 11.20 Icterus; disposition of carcasses.
  - 11.21 Urine or sexual odor; disposition of carcasses.
  - 11.22 Mange or scab; disposition of carcasses.
  - 11.23 Hogs affected with urticaria, tinea tonsurans, demodex folliculorum, or erythema; disposition of carcasses.
  - 11.24 Tapeworm cysts (*Cysticercus bovis*); methods of inspecting for; carcasses and parts of cattle infested with; disposition of carcasses and parts; conditions under which refrigeration permitted; calves excepted.
  - 11.25 Hogs affected with tapeworm cysts (*Cysticercus cellulosae*); disposition.
  - 11.26 Disposal of carcasses, organs, and parts showing evidence of infestation with parasites not transmissible to man; sheep carcasses affected with tapeworm cysts; carcasses infested with gid bladder worms; organs and parts infested with hydatid cysts; livers infested with flukes.
  - 11.27 Emaciated or anemic carcasses and those showing slimy fat degeneration or serous muscular infiltration.
  - 11.28 Carcasses showing advanced pregnancy, etc.; disposition.
  - 11.29 Slaughter of injured animals at unusual hours.
  - 11.30 Carcasses of young calves, pigs, kids, and lambs; when condemned.
  - 11.31 Unborn and stillborn animals.



Sec.

- 11.32 Condemnation of animals suffocated and hogs scalded alive.
- 11.33 Livers affected with carotenosis; livers designated as "telangiectatic," "sawdust," or "spotted"; disposal.
- 11.34 Vesicular exanthema and vesicular stomatitis.
- 11.35 Anaplasmosis.
- 11.36 Listerellosis.
- 11.37 Leptospirosis.

**§ 11.1 Disposal of diseased carcasses and parts; general.** (a) The carcasses or parts of carcasses of all animals slaughtered at an official establishment and found at the time of slaughter or at any subsequent inspection to be affected with any of the diseases or conditions named in this part shall be disposed of according to the section pertaining to the disease or condition. Owing to the fact that it is impracticable to formulate rules covering every case and to designate at just what stage a process becomes loathsome or a disease noxious, the decision as to the disposal of all carcasses, parts, or organs not specifically covered in Parts 1 through 29 of this subchapter shall be left to the inspector in charge.

(b) In cases of doubt as to a condition, a disease, or the cause of a condition, or to confirm a diagnosis representative specimens of the affected tissues properly prepared and packaged should be sent to one of the laboratories of the Biological Control Section of the division for examination.

**§ 11.2 Tuberculosis; principles for guidance in passing on carcasses affected.** The following principles are declared for guidance in passing on carcasses affected with tuberculosis:

(a) No meat should be passed for food if it contains tubercle bacilli, or if there is a reasonable possibility that it may contain tubercle bacilli, or if it is impregnated with toxic substance of tuberculosis or associated septic infections.

(b) Meat should not be destroyed if the lesions are localized and not numerous, if there is no evidence of distribution of tubercle bacilli through the blood or by other means to the muscles or to parts that may be eaten with the muscles, and if the animal is well nourished and in good condition, since in this case there is no proof, or even reason to suspect, that the flesh is unwholesome.

(c) Evidences of generalized tuberculosis are to be sought in such distribution and number of tuberculous lesions as



can be explained only upon the supposition of the entrance of tubercle bacilli in considerable number into the systemic circulation. Significant of such generalization is the presence of numerous uniformly distributed tubercles throughout both lungs, also tubercles in the spleen, kidneys, bones, joints, and sexual glands and in the lymph glands connected with these organs and parts, or in the splenic, renal, pre-scapular, popliteal, and inguinal glands, when several of these organs and parts are coincidentally affected.

(d) Localized tuberculosis is tuberculosis limited to a single or several parts or organs of the body without evidence of recent invasion of numerous bacilli into the systemic circulation.

**§ 11.3 Disposition when affected with tuberculosis.** The carcasses of animals affected with tuberculosis shall be disposed of as follows:

(a) The entire carcass shall be condemned if any of the following conditions occur:

(1) When it was observed before the animal was killed that it was suffering with fever.

(2) When there is a tuberculous or other cachexia.

(3) When the lesions of tuberculosis are generalized, as shown by their presence not only at the usual seats of primary infection but also in parts of the carcass or in the organs that may be reached by the bacilli of tuberculosis only when they are carried in the systemic circulation. Tuberculous lesions in any two of the following-mentioned organs are to be accepted as evidence of generalization when they occur in addition to local tuberculous lesions in the digestive or respiratory tracts, including the lymph glands connected therewith: spleen, kidney, uterus, udder, ovary, testicle, adrenal gland, and brain or spinal cord or their membranes. Numerous tubercles uniformly distributed throughout both lungs also afford evidence of generalization.

(4) When the lesions of tuberculosis are found in the muscles or intermuscular tissue or bones or joints, or in the body lymph glands as a result of draining the muscles, bones, or joints.

(5) When the lesions are extensive in one or both body cavities.

(6) When the lesions are multiple, acute, and actively progressive. (Evidence of active progress consists of signs of

acute inflammation about the lesions, or liquefaction necrosis, or the presence of young tubercles.)

(b) An organ or a part of a carcass shall be condemned under any of the following conditions:

(1) When it contains lesions of tuberculosis.

(2) When the lesion is localized but immediately adjacent to the flesh as in the case of tuberculosis of the parietal pleura or peritoneum. In this case not only the membrane or part affected but also the adjacent thoracic or abdominal wall is to be condemned.

(3) When it has been contaminated by tuberculous material through contact with the floor or a soiled knife or otherwise.

(4) Heads showing lesions of tuberculosis shall be condemned, except that when a head is from a carcass passed for food or for cooking and the lesions are slight, or calcified, or encapsulated, and are confined to lymph glands in which not more than two glands are involved, the head may be passed for cooking after the diseased tissues have been removed and condemned.

(5) An organ shall be condemned when the corresponding lymph gland is tuberculous.

(6) Intestines and mesenteries showing lesions of tuberculosis shall be condemned, except that when the lesions are slight and confined to the lymph glands and the carcass is passed without restriction, the intestines may be passed for use as casings and the fat passed for rendering after the corresponding lymph glands have been removed and condemned: *Provided*, That the fat and intestines have not been contaminated with tuberculous material.

(c) Carcasses showing lesions of tuberculosis should be passed for food when the lesions are slight, localized, and calcified or encapsulated, or are limited to a single or several parts or organs of the body (except as noted in paragraph (a) of this section), and there is no evidence of recent invasion of tubercle bacilli into the systemic circulation. Under this paragraph carcasses showing such lesions as the following examples may be passed, after the parts containing the lesions are removed and condemned in accordance with paragraph (b) of this section:

(1) In the cervical lymph glands and two groups of visceral lymph glands in a single body cavity, such as the

cervical, bronchial, and mediastinal glands, or the cervical, hepatic, and mesenteric glands.

(2) In the cervical lymph glands and one group of visceral lymph glands and one organ in a single body cavity, such as the cervical and bronchial glands and lungs, or the cervical and hepatic glands and the liver.

(3) In two groups of visceral lymph glands and one organ in a single body cavity, such as the bronchial and mediastinal glands and the lungs, or the hepatic and mesenteric glands and the liver.

(4) In two groups of visceral lymph glands in the thoracic cavity and one group in the abdominal cavity, or in one group of visceral lymph glands in the thoracic cavity and two groups in the abdominal cavity, such as the bronchial, mediastinal, and hepatic glands, or the bronchial, hepatic, and mesenteric glands.

(5) In the cervical lymph glands and one group of visceral lymph glands in each body cavity, such as the cervical, bronchial, and hepatic glands.

(6) In the cervical lymph glands and one group of visceral lymph glands in each body cavity, together with the liver when the latter contains but few localized foci. In this class of carcasses, which will be chiefly those of hogs, the lesions of the liver are considered to be primary, as the disease is practically always of alimentary origin.

(d) Carcasses which reveal lesions more severe or more numerous than those described for carcasses to be passed (paragraph (c) of this section), but not so severe nor so numerous as the lesions described for carcasses to be condemned (paragraph (a) of this section), may be rendered into lard, rendered pork fat, or tallow, or otherwise cooked in accordance with Part 15 of this subchapter, if the distribution of the lesions is such that all parts containing tuberculous lesions can be removed.

**§ 11.4 Hog cholera; disposition of hog carcasses on account of.** (a) The carcasses of all hogs affected with acute hog cholera shall be condemned.

(b) Inconclusive but suspicious symptoms of hog cholera observed during the ante-mortem inspection shall be duly considered in connection with post-mortem findings and when the carcass of such a "suspect" shows lesions in the kidneys and the lymph glands which resemble lesions of hog cholera,

they shall be regarded as those of hog cholera and the carcass shall be condemned.

(c) Inasmuch as lesions resembling lesions of hog cholera occur in the kidneys and lymph glands of hogs not affected with hog cholera, carcasses of hogs in the kidneys or lymph glands of which appear any lesions resembling lesions of hog cholera shall be carefully further inspected for corroborative lesions. If on such further inspection the carcass shows such lesions in the kidneys or in the lymph glands or in both, accompanied by characteristic lesions in some organ or tissue, then all lesions shall be regarded as those of hog cholera and the carcass shall be condemned.

**§ 11.5 Carcasses of swine injected with hog cholera virus.** (a) Carcasses of swine, other than hyperimmune swine, if presented for inspection after 28 days following injection with hog cholera virus shall be given post-mortem inspection in conformity with this part without reference to the injected virus.

(b) Carcasses of hyperimmune swine if presented for inspection after 10 days following hyperimmunization shall be given post-mortem inspection in conformity with this part without reference to the injected virus.

**§ 11.6 Swine erysipelas.** Carcasses affected with swine erysipelas which is acute or generalized, or which show systemic change, shall be condemned.

**§ 11.7 Diamond-skin disease.** Carcasses of hogs affected with diamond-skin disease when localized and not associated with systemic change may be passed for food after removal and condemnation of the affected parts: *Provided*, Such carcasses are otherwise in good condition.

**§ 11.8 Arthritis and polyarthritis.** (a) Carcasses affected with arthritis or polyarthritis when localized and not associated with systemic change may be passed for food after removal and condemnation of all affected parts: *Provided*, The carcasses are otherwise in good condition. Affected joints with corresponding lymph glands shall be removed and condemned. In order to avoid contamination of the meat which is passed a joint capsule shall not be opened until after the affected joint is removed.

(b) Carcasses affected with arthritis or polyarthritis characterized by the presence of periarticular abscesses which may or may not be connected with similar suppurative foci within the epiphyses of the bones shall be con-



demned in cases manifesting suppurative lesions in more than one joint. Otherwise, the condemnations shall be restricted to the affected parts if such carcasses are otherwise in good condition.

**§ 11.9 Cattle carcasses affected with anasarca or generalized edema.** (a) Carcasses of cattle found on post-mortem inspection to be affected with anasarca in advanced stages and characterized by an extensive or well-marked generalized edema shall be condemned.

(b) Carcasses of cattle, including their detached parts and organs, found on post-mortem inspection to be affected with anasarca to a lesser extent than in paragraph (a) of this section may be passed for food after removal and condemnation of the affected tissues, provided the lesion is localized.

**§ 11.10 Actinomycosis and actinobacillosis; disposition of carcasses and parts.** (a) The definition of generalization as outlined for tuberculosis in § 11.3 (a) shall apply for actinomycosis and actinobacillosis, and carcasses of animals so affected shall be condemned.

(b) Carcasses of animals in a well-nourished condition showing uncomplicated localized lesions of actinomycosis or actinobacillosis may be passed after the infected organs or parts have been removed and condemned, except as provided in paragraphs (c) and (d) of this section.

(c) Heads affected with actinomycosis or actinobacillosis, including the tongue, shall be condemned, except that when the disease of the jaw is slight, strictly localized, and without suppuration, fistulous tracts, or lymph gland involvement, the tongue, if free from disease, may be passed, or, when the disease is slight and confined to the lymph glands, the head, including the tongue, may be passed after the affected glands have been removed and condemned.

(d) When the disease is slight and confined to the tongue, with or without involvement of the corresponding lymph glands, the head may be passed after removal and condemnation of the tongue and corresponding lymph glands.

**§ 11.11 Anthrax, bacillary hemoglobinuria in cattle, blackleg, hemorrhagic septicemia, icterohematuria in sheep, malignant epizootic catarrh, piroplasmosis, pyemia, septicemia, unhealed vaccine lesions; carcasses affected with, to be condemned.** Carcasses of animals



affected with or showing lesions of any of the following-named diseases or conditions shall be condemned:

- (a) Anthrax.
- (b) Bacillary hemoglobinuria in cattle.
- (c) Blackleg.
- (d) Hemorrhagic septicemia.
- (e) Icterohematuria in sheep.
- (f) Malignant epizootic catarrh.
- (g) Piroplasmosis.
- (h) Pyemia.
- (i) Septicemia.
- (j) Unhealed vaccine lesions (vaccinia).

**§ 11.12 Malignant neoplasms; disposition of organs, parts, or carcasses.** Any individual organ or part of a carcass affected with a malignant neoplasm shall be condemned. In case the malignant neoplasm involves any internal organ to a marked extent, or affects the muscles, skeleton, or body lymph glands, even primarily, the carcass shall be condemned, except as provided in § 11.13. In case of metastasis to any other organ or part of a carcass, or if metastasis has not occurred but there are present secondary changes in the muscles (serous infiltration, flabbiness, or the like), the carcass shall be condemned. Carcasses of cattle affected with epithelioma of the eye shall be disposed of according to § 11.13.

**§ 11.13 Epithelioma of the eye of cattle.** (a) Carcasses of animals affected with epithelioma of the eye, of the orbital region, and/or of the corresponding parotid lymph gland shall be condemned in their entirety if one of the following three conditions exists:

(1) The affection has involved the osseous structures of the head with extensive infection, suppuration, and necrosis;

(2) There is metastasis from the eye, the orbital region, and/or the corresponding parotid lymph gland to other lymph glands, internal organs, muscles, skeleton, or other structures, regardless of the extent of the primary tumor; or

(3) The affection, regardless of extent, is associated with cachexia or evidence of absorption or secondary changes.

(b) Carcasses of animals affected with epithelioma of the eye, of the orbital region, and/or of the corresponding parot-

id lymph gland to a lesser extent than in paragraph (a) of this section may be passed for food after removal and condemnation of the head, including the tongue: *Provided*, The carcass is otherwise in good condition.

**§ 11.14 Carcasses showing disease such as generalized melanosis, etc., affecting the system to be condemned.** Carcasses of animals showing any disease such as generalized melanosis, leukemia, pseudo-leukemia, lymphoma, and the like, which affect the system of the animal, shall be condemned.

**§ 11.15 Abrasions, bruises, tumors, abscesses, pus, etc., disposition of carcasses and parts.** All slight, well-limited abrasions on the tongue and inner surface of the lips and mouth, when without lymph-gland involvement, shall be carefully excised, leaving only sound, normal tissue, which may be passed. Any organ or part of a carcass which is badly bruised or which is affected by a tumor, an abscess, or a suppurating sore, shall be condemned; and when the lesions are of such character or extent as to affect the whole carcass, the whole carcass shall be condemned. Parts of carcasses which are contaminated by pus shall be condemned.

**§ 11.16 Brucellosis.** Carcasses affected with localized lesions of brucellosis may be passed for food after the affected parts are removed and condemned.

**§ 11.17 Carcasses so infected that consumption of the meat may cause food poisoning shall be condemned.** (a) All carcasses of animals so infected that consumption of the products thereof may give rise to food poisoning shall be condemned. This includes all carcasses showing signs of:

(1) Acute inflammation of the lungs, pleura, pericardium, peritoneum, or meninges.

(2) Septicemia or pyemia, whether puerperal, traumatic, or without any evident cause.

(3) Gangrenous or severe hemorrhagic enteritis or gastritis.

(4) Acute diffuse metritis or mammitis.

(5) Phlebitis of the umbilical veins.

(6) Septic or purulent traumatic pericarditis.

(7) Any acute inflammation, abscess, or suppurating sore, if associated with acute nephritis, fatty and degenerated liver, swollen soft spleen, marked pulmonary hyperemia, general swelling of lymph glands, diffuse redness of

the skin, cachexia, icteric discoloration of the carcass, or the like, either singly or in combination.

(b) Implements contaminated by contact with carcasses affected with any of the diseased conditions mentioned in this section shall be thoroughly cleaned and disinfected as prescribed elsewhere in Parts 1 through 29 of this subchapter. The equipment used in the dressing of such carcasses, such as viscera trucks, inspection tables, and the like, shall be disinfected with hot water having a minimum temperature of 180° F. Carcasses or parts of carcasses contaminated by contact with such diseased carcasses shall be condemned unless all contaminated tissues are removed within two hours.

**§ 11.18. Necrobacillosis, pyemia, septicemia; disposition of carcasses.** From the standpoint of meat inspection, necrobacillosis may be regarded as a local affection at the beginning, and carcasses in which the lesions are so localized may be passed for food if in a good state of nutrition, after removing and condemning those portions affected with necrotic lesions. On the other hand, when emaciation, cloudy swelling of the glandular organs, or enlargement, and discoloration of the lymph glands are associated with the affection, it is evident that the disease has progressed beyond the condition of localization to a state of toxemia, and the entire carcass should therefore be condemned as both innutritious and noxious. Pyemia or septicemia may intervene as a complication of the local necrosis, and when present the carcass shall be condemned in accordance with § 11.17.

**§ 11.19. Caseous lymphadenitis; disposition of carcasses and parts.** (a) A thin carcass showing well-marked lesions in the viscera and the skeletal lymph glands or such a carcass showing extensive lesions in any part shall be condemned.

(b) A thin carcass showing well-marked lesions in the viscera with only slight lesions elsewhere or showing well-marked lesions in the skeletal lymph glands with only slight lesions elsewhere may be passed for cooking.

(c) A thin carcass showing only slight lesions in the skeletal lymph glands and in the viscera may be passed without restriction.

(d) A well-nourished carcass showing well-marked lesions in the viscera and with only slight lesions elsewhere or showing well-marked lesions confined to the skeletal lymph glands

with only slight lesions elsewhere may be passed without restriction.

(e) A well-nourished carcass showing well-marked lesions in the viscera and the skeletal lymph glands may be passed for cooking; but where the lesions in a well-nourished carcass are both numerous and extensive, it shall be condemned.

(f) All affected organs and glands of carcasses passed without restriction or passed for cooking shall be removed and condemned. The term "thin" as used in this section shall not be held applicable to a carcass which is anemic or emaciated.

**§ 11.20 Icterus; disposition of carcasses.** Carcasses showing any degree of icterus with a parenchymatous degeneration of organs, the result of infection or intoxication, and those which show an intense yellow or greenish-yellow discoloration without evidence of infection or intoxication, shall be condemned. Carcasses affected with icteric-like discoloration, the result of conditions other than those before stated in this section, but which lose such discoloration on chilling, shall be passed for food, while those which do not so lose such discoloration may be passed for cooking. No carcass retained under this section may be passed for food unless the final inspection thereof is completed under natural light. Carcasses passed for cooking under this section shall not be processed other than by rendering.

**§ 11.21 Urine or sexual odor; disposition of carcasses.** Carcasses which give off the odor of urine or a sexual odor shall be condemned. When the final inspection of such carcasses is deferred until they have been chilled, the disposal shall be determined by the heating test.

**§ 11.22 Mange or scab; disposition of carcasses.** Carcasses of animals affected with mange or scab in advanced stages, showing cachexia, or extensive inflammation of the flesh, shall be condemned. When the disease is slight, the carcass may be passed after removal of the affected portion.

**§ 11.23 Hogs affected with urticaria, tinea, tonsurans, demodex folliculorum, or erythema; disposition of carcasses.** Carcasses of hogs affected with urticaria (nettle rash), tinea tonsurans, demodex folliculorum, or erythema may be passed after detaching and condemning the affected skin, if the carcass is otherwise fit for food.

**§ 11.24 Tapeworm cysts (*Cysticercus bovis*); methods of inspecting for; carcasses and parts of cattle infested**



**with ; disposition of carcasses and parts ; conditions under which refrigeration permitted ; calves excepted.** (a)

*Head.* Prior to inspection the tongue shall be detached sufficiently from the head bones, by an employee of the establishment, to allow a proper inspection to be made of the internal muscles of mastication. The muscles shall be inspected after incising them in such manner as to split the muscles in a plane parallel with the lower jawbone. The masseter muscles also shall be incised, splitting the entire external layer between the outer and intermediate fasciae.

(b) *Heart.* The preparation and inspection of hearts shall conform to one of the following methods :

(1) The surface of the heart shall be examined, and a longitudinal incision made extending from base to apex through the wall of the left ventricle and the interventricular septum, after which the cut surfaces and the inner surfaces of the ventricles shall be examined.

(2) After the external surface of the heart has been inspected the organ shall be prepared for further inspection by an establishment employee severing its attachments and cutting through the interventricular septum and such other tissues as will permit him to evert the organ completely. The inspector shall then examine the interior surfaces and make not more than four deep, lengthwise incisions into the muscles of the septum and left ventricular wall, unless the presence of cysts is suspected, when more incisions shall be made. Under this method care shall be taken not to cut completely through the walls of hearts to be passed without restriction. If necessary to maintain the identity of hearts, the establishment shall provide consecutively numbered tags and appropriately mark the carcasses and hearts.

(c) *Final inspection of retained carcasses.* The external and internal muscles of mastication, the heart, and the muscular portion of the diaphragm including its pillars, should be carefully and thoroughly sliced to insure the finding of all cysts. Prior to the inspection of the diaphragm its peritoneum shall be removed. The tongue shall be carefully inspected by palpation, and if the presence of cysts in the muscles of this organ is suspected, the tongue shall be thoroughly sliced and all parts closely examined for cysts. In addition to the foregoing, the muscles of the oesophagus, the exposed muscles, and cut muscular surfaces of the split carcass shall be examined. Incisions may be made to expose



additional surfaces for examination, but unnecessary mutilation of carcasses which may be passed shall be avoided.

(d) Carcasses of cattle (including the viscera) infested with tapeworm cysts known as *Cysticercus bovis* shall be condemned if the infestation is excessive or if the meat is watery or discolored. Carcasses shall be considered excessively infested if incisions in various parts of the musculature expose on most of the cut surfaces two or more cysts within an area the size of the palm of the hand.

(e) A carcass in which infestation with *Cysticercus bovis* is limited to one dead and degenerated cyst may be passed for food after removal and condemnation of the cyst.

(f) Carcasses of cattle showing a slight or moderate infestation other than that indicated in paragraph (e) of this section but not so extensive as indicated in paragraph (d) of this section, as determined by a careful examination of the heart, muscles of mastication, diaphragm and its pillars, tongue, and of portions of the carcass rendered visible by the process of dressing, may be passed for food after removal and condemnation of the cysts, with the surrounding tissues: *Provided*, That the carcasses and parts, appropriately identified by retained tags, are held in cold storage at a temperature not higher than 15° F. continuously for a period of not less than 10 days: *And provided further*, That the boned meat from such carcasses when in boxes, tierces, or like containers, appropriately identified by retained tags, is held at a temperature of not higher than 15° F. continuously for a period of not less than 20 days. As an alternative to retention in cold storage as herein provided, such carcasses and parts may be heated throughout to a temperature of at least 140° F.

(g) The edible viscera (except the lungs, fat, muscles of the oesophagus, and heart, which shall take the same disposition as the carcasses), of carcasses passed for food or for refrigeration under the provisions of paragraph (f) of this section may be passed for food without refrigerating or heating: *Provided*, They are found to be free from infestation upon final inspection. The intestines, weasands, and bladders from beef carcasses affected with *Cysticercus bovis*, which have been passed for food or for refrigeration, may be used for casings after they have been subjected to the usual methods of preparation and may be passed for such purpose upon completion of the final inspection.

(h) The inspection for *Cysticercus bovis* may be omitted in the case of calves under 6 weeks old. The routine inspection of calves over 6 weeks old for *Cysticercus bovis* may be limited to a careful examination of the surface of the heart and such other surfaces as are rendered visible by the process of dressing.

**§ 11.25 Hogs affected with tapeworm cysts (*Cysticercus cellulosae*); disposition.** Carcasses of hogs affected with tapeworm cysts (*Cysticercus cellulosae*) may be passed for cooking, but if the infestation is excessive the carcass shall be condemned.

**§ 11.26 Disposal of carcasses, organs, and parts showing evidence of infestation with parasites not transmissible to man; sheep carcasses affected with tapeworm cysts; carcasses infested with gid bladder worms; organs and parts infested with hydatid cysts; livers infested with flukes.** (a) In the disposal of carcasses, edible organs, and parts of carcasses showing evidence of infestation with parasites not transmissible to man, the following general rules shall govern: If the lesions are localized in such manner and are of such character that the parasites and the lesions caused by them may be radically removed, the non-affected portion of the carcass, organ, or part of the carcass may be passed for food after the removal and condemnation of the affected portions. If an organ or a part of a carcass shows numerous lesions caused by parasites, or if the character of the infestation is such that complete extirpation of the parasites and lesions is difficult and uncertainly accomplished, or if the parasitic infestation or invasion renders the organ or part in any way unfit for food, the affected organ or part shall be condemned. If parasites are found to be distributed in a carcass in such a manner or to be of such a character that their removal and the removal of the lesions caused by them is impracticable, no part of the carcass shall be passed for food. If the infestation is excessive the carcass shall be condemned. If the infestation is moderate the carcass may be passed for cooking, but in case such carcass is not cooked as required by Part 15 of this subchapter it shall be condemned.

(b) In the case of sheep carcasses affected with tapeworm cysts located in the muscles (*Cysticercus ovis*, so-called sheep measles, not transmissible to man), the carcass may be passed after the removal and condemnation of the affected portions:

*Provided, however,* That if upon the final inspection of sheep carcasses retained on account of measles the total number of cysts found embedded in muscle or in immediate relation with muscular tissue, including the heart, exceeds five, this shall be taken to indicate that the cysts are so generally distributed and so numerous that their removal would be impracticable, and the entire carcass shall be condemned or passed for cooking, according to the degree of infestation. If not to exceed five cysts are found upon final inspection, the carcass may be passed after the removal and condemnation of the affected portions.

(c) Carcasses of animals found infested with gid bladder worms (*Coenurus cerebralis*, *Multiceps multiceps*) may be passed after condemnation of the affected organ (brain or spinal cord.)

(d) Organs or parts of carcasses infested with hydatid cysts (*echinococcus*) shall be condemned.

(e) Livers infested with flukes or fringed tapeworms shall be condemned.

**§ 11.27 Emaciated or anemic carcasses and those showing slimy fat degeneration or serous muscular infiltration.** Carcasses of animals too emaciated or anemic to produce wholesome meat, and carcasses which show a slimy degeneration of the fat or a serous infiltration of the muscles, shall be condemned. Mere leanness should not be classed as emaciation.

**§ 11.28 Carcasses showing advanced pregnancy, etc.; disposition.** Carcasses of animals in advanced stages of pregnancy (showing signs of parturition), also carcasses of animals which have within 10 days given birth to young and in which there is no evidence of septic infection, may be passed for cooking and handled as provided in Part 15 of this subchapter; otherwise, they shall be condemned.

**§ 11.29 Slaughter of injured animals at unusual hours.** When it is necessary for humane reasons to slaughter an injured animal at night or on Sunday or a holiday when the inspector cannot be obtained, the carcass and all parts shall be kept for inspection, with the head and all viscera except the stomach, bladder, and intestines held by the natural attachments. If all parts are not so kept for inspection, the carcass shall be condemned. If on inspection of a carcass slaughtered in the absence of an inspector any lesion or condition is found indicating that the animal was sick or dis-

eased, or if there is lacking evidence of the condition which rendered emergency slaughter necessary, the carcass shall be condemned.

**§ 11.30 Carcasses of young calves, pigs, kids, and lambs; when condemned.** Carcasses of young calves, pigs, kids, and lambs are unwholesome and shall be condemned if (a) the meat has the appearance of being water-soaked, is loose, flabby, tears easily, and can be perforated with the fingers; or (b) its color is grayish red; or (c) good muscular development as a whole is lacking, especially noticeable on the upper shank of the leg, where small amounts of serous infiltrates or small edematous patches are sometimes present between the muscles; or (d) the tissue which later develops as the fat capsule of the kidneys is edematous, dirty yellow, or grayish red, tough, and intermixed with islands of fat.

**§ 11.31 Unborn and stillborn animals.** All unborn and stillborn animals shall be condemned and no hide or skin thereof shall be removed from the carcass within a room in which edible products are handled.

**§ 11.32 Condemnation of animals suffocated and hogs scalded alive.** All animals which have been suffocated in any way and hogs which have entered the scalding vat alive shall be condemned.

**§ 11.33 Livers affected with carotenosis; livers designated as "telangiectatic," "sawdust," or "spotted"; disposal.** (a) Livers affected with carotenosis shall be condemned.

(b) Cattle livers and calf livers showing the conditions sometimes designated as "telangiectatic," "sawdust," or "spotted" shall be disposed of as follows:

(1) When any or all of the conditions are extensive and involve one-half or more of an organ, the whole organ shall be condemned.

(2) When any or all of the conditions are slight in an organ, the whole organ shall be passed without restriction.

(3) When any or all of the conditions involve the whole organ, and are less severe than extensive, but more severe than slight, the whole organ shall be cooked.

(4) When any or all of the conditions are less severe than extensive, but more severe than slight in a portion of an organ, while in the remainder of the organ the conditions



are slight, the remainder shall be passed without restriction and the other portion shall be cooked.

(5) When any or all of the conditions are extensive and involve less than one-half of the organ, while in the remainder of the organ the conditions are slight, the remainder shall be passed without restriction and the other portion shall be condemned.

(6) When any or all of the conditions are extensive and involve less than one-half of the organ, while in any or all of the remainder of the organ the conditions are more severe than slight yet less severe than extensive, all of the remainder shall be cooked and the extensively involved portion shall be condemned.

(7) The division of an organ into two parts as herein contemplated for disposition, shall be accomplished by one cut through the organ. This, of course, does not prohibit incisions which are necessary for inspection.

(c) Livers and parts of livers which are required to be cooked shall be held and cooked in the establishment where produced. They shall be cooked sufficiently to impart a cooked appearance throughout the liver. After cooking, the liver may be released for any purpose.

**§ 11.34 Vesicular exanthema and vesicular stomatitis.**

(a) Any carcass affected with vesicular exanthema or vesicular stomatitis shall be condemned if the condition is acute or if the extent of the condition is such that it affects the entire carcass or there is evidence of absorption or secondary change.

(b) Any carcass affected with vesicular exanthema or vesicular stomatitis to a lesser extent than in paragraph (a) of this section may be passed after removal and condemnation of affected parts, if the carcass is otherwise in good condition.

**§ 11.35 Anaplasmosis.** (a) Carcasses of cattle and calves found on post-mortem inspection to be affected with anaplasmosis shall be condemned.

(b) Carcasses of cattle and calves which are classed as recovered cases of anaplasmosis evidenced by the absence of abnormal symptoms on ante-mortem inspection but which show slight yellow coloration of tissues on post-mortem examination shall be passed for food provided the yellow coloration disappears on chilling. Those carcasses which do



not lose such yellow coloration on chilling shall be condemned.

**§ 11.36 Listerellosis.** Carcasses of animals marked "U. S. suspect" because of a history of listerellosis shall be passed for food after condemnation of the head if the carcass is otherwise in good condition.

**§ 11.37 Leptospirosis.** (a) Carcasses of animals affected with leptospirosis shall be condemned.

(b) Carcasses of animals which have reacted to a test for leptospirosis and have been marked "U. S. suspect" on ante-mortem inspection shall be passed for food when no evidence of the disease is found on post-mortem examination provided the carcasses are otherwise in good condition.

## **PART 12—CARCASSES OF ANIMAL SLAUGHTERED WITHOUT ANTE-MORTEM INSPECTION**

**§ 12.1 Carcasses of animals slaughtered without ante-mortem inspection.** No carcass of an animal slaughtered in the United States which has not had ante-mortem inspection by a division employee shall be brought into an official establishment, except that carcasses of cattle, sheep, swine, and goats, slaughtered by a farmer on the farm, to which the head and all viscera other than the stomach, bladder, and intestines are held by the natural attachments, may be received for inspection at official establishments where there is a veterinary meat inspector, upon the conditions prescribed in this section. After receipt in an official establishment, every such carcass shall be given a thorough post-mortem inspection. If, on inspection of any such carcass, there is found any lesion or condition indicating that the animal was sick or diseased, the carcass shall be condemned and disposed of in accordance with Part 14 of this subchapter. If on inspection the carcass is found to be free from disease and otherwise found healthful, wholesome, and fit for human food, it shall be marked with the inspection legend.

## **PART 13—TANK ROOMS AND TANKS**

Sec.

- 13.1 Tanks, rooms, and equipment used for inedible products to be separate and apart from those used for edible products.
- 13.2 Suppression of odors in preparing inedible product.
- 13.3 Carcasses of animals condemned on ante-mortem inspection not to pass through compartments for edible products.
- 13.4 Dead-animal carcasses.
- 13.5 Inedible fats from outside of establishments.

**§ 13.1 Tanks, rooms, and equipment used for inedible products to be separate and apart from those used for edible products.** All tanks and equipment used for rendering, preparing, or storing inedible products shall be in rooms or compartments separate from those used for rendering, preparing, or storing edible products. There shall be no connection between rooms or compartments containing inedible products and those containing edible products, except that there may be one connecting doorway between the slaughtering or viscera separating department and the tank charging room of the inedible products rendering department. Pipes and chutes installed in accordance with the requirements of the director of division may be used to convey inedible and condemned material from edible product departments to inedible product departments.

**§ 13.2 Suppression of odors in preparing inedible product.** Tanks, fertilizer driers, and other equipment used in the preparation of inedible product shall be properly equipped with condensers and other appliances which will acceptably suppress odors incident to such preparation.

**§ 13.3 Carcasses of animals condemned on ante-mortem inspection not to pass through compartments for edible products.** In conveying to the inedible product tank carcasses of animals which have been condemned on ante-mortem inspection, they shall not be taken through rooms or compartments in which product is prepared, handled, or stored.

**§ 13.4 Dead-animal carcasses.** (a) With the exception of dead animals which have died en route and are received with animals for slaughter at an establishment, no dead animal may be brought on the premises of an establishment unless advance permission therefor is obtained from the director of division.

(b) Under no circumstances shall the carcass of any animal which has died otherwise than by slaughter be brought into any room or compartment in which any product is prepared, handled, or stored.

**§ 13.5 Inedible fats from outside of establishments.** Inedible fats from outside the premises of an official establishment shall not be received except into the tank room provided for inedible products, and then only when their receipt into the tank room produces no insanitary condition on the premises, nor shall such fats be received in such volume

as interferes with prompt disposal of inedible or condemned material produced at the establishment. When received they shall not enter any room or compartment used for edible products.

#### PART 14—TANKING AND DENATURING CONDEMNED CARCASSES AND PARTS

Sec.

- 14.1 Condemned carcasses and product; disposing of, by tanking; sealing of tanks; denaturing of product.
- 14.2 Inedible rendered fats.
- 14.4 Disposition of condemned meat or product at official establishments having no tanking facilities.
- 14.5 Specimens for educational, research, and other purposes; permits for, required.
- 14.6 Livers condemned because of parasitic infestation and for other causes; conditions under which may be disposed of as fish feed.

##### **§ 14.1 Condemned carcasses and product; disposing of, by tanking; sealing of tanks; denaturing of product.**

(a) Condemned carcasses and product at official establishments having facilities for tanking shall be disposed of by tanking as follows:

(1) The lower opening of the tank shall first be sealed securely by a Meat Inspection employee, except when permanently connected with a blow line, then the condemned carcasses and product shall be placed in the tank in his presence, after which the upper opening shall also be sealed securely by such employee, who shall then see that the contents of the tank are subjected to sufficient heating for sufficient time to effectively destroy the contents for food purposes.

(2) The use of equipment such as crushers or hashers for pretanking preparation of condemned carcasses and product in the inedible products department has been found to give inedible character and appearance to the material. Accordingly, if condemned carcasses and product are so crushed or hashed, conveying systems, rendering tanks, and other equipment used in the further handling of the crushed or hashed material need not be locked or sealed during the tanking operation. If the rendering tanks or other equipment contain condemned material not so crushed or hashed, the equipment shall be sealed as prescribed in subparagraph (1) of this paragraph. If the crushed or hashed material is not rendered in the establishment where produced it shall be denatured as provided for in § 14.4.

(b) The seals of tanks shall be broken only by a division employee after the contents of the tanks have been treated as provided in paragraph (a) of this section. The rendered fat derived from condemned material shall be held until a division employee shall have had an opportunity to determine whether it conforms with the requirements of this section. Samples shall be taken by division employees as often as is necessary to determine whether the rendered fat is effectually denatured.

**§ 14.2 Inedible rendered fats.** Rendered animal fat derived from inedible or condemned materials and possessing the physical characteristics of color, odor, and taste of an edible product shall be denatured to effectually distinguish it from an edible product either with low grade offal during the rendering or by adding to, and mixing thoroughly with, such fat denaturing oil, number 2 fuel oil, or brucine dissolved in a mixture of alcohol and pine oil or oil of rosemary.

**§ 14.4 Disposition of condemned meat or product at official establishments having no tanking facilities.** (a) Any carcass or product condemned at an official establishment which has no facilities for tanking shall be denatured with crude carbolic acid, cresylic disinfectant, or other prescribed agent, or be destroyed by incineration, under the supervision of a Meat Inspection employee. When such carcass or product is not incinerated it shall be slashed freely with a knife, before the denaturing agent is applied.

(b) Carcasses and products condemned on account of anthrax, and the materials identified in § 10.9 of this subchapter which are derived therefrom at establishments which are not equipped with tanking facilities shall be disposed of by (1) complete incineration, or (2) by thorough denaturing with a prescribed denaturant, and then disposed of in accordance with the requirements of the particular State or municipal authorities, who shall be notified immediately by the inspector in charge.

**§ 14.5 Specimens for educational, research, and other purposes; permits for, required.** (a) Specimens of diseased, condemned, and inedible materials, including pig or lamb embryos and specimens of animal parasites, may be released for educational purposes by the inspector in charge: *Provided*, That the party desiring such specimens makes a written application for same, stating the use to be made of them; and *Provided further*, That the applicant arranges



with and receives permission from the official establishment to obtain the specimens. If the application is satisfactory to the inspector in charge, he shall issue a permit authorizing the removal of the specimens. Such permits shall be numbered and issued for not beyond the then current calendar year.

(b) Specimens of diseased, condemned, and inedible materials, including pig or lamb embryos and specimens of animal parasites, may be released for research and other purposes when authorized by the director of division, provided that the applicant for such specimens shall have arranged with and received permission from the official establishment to obtain them. The application to the division for the release of such material for research purposes should include the following information: (1) The name of the organization or individual conducting the research, (2) the name of the official establishment from which the material is to be obtained, and (3) the kind and amount of material desired. In addition, the application should contain a statement that the material will be used for research purposes only and that the organization or individual conducting the research assumes full responsibility for the results of research involving this material.

(c) The collection and handling of the specimens referred to in paragraph (a) and (b) of this section shall be at such time and place and in such a manner as not to interfere with the inspection or to cause any objectionable condition.

**§ 14.6 Livers condemned because of parasitic infestation and for other causes; conditions under which may be disposed of as a fish feed.** (a) Livers condemned on account of fluke infestation may be forwarded as fish feed if they are first freely slashed, then denatured, and then frozen. The denaturing shall be accomplished by dipping the slashed livers in a hot solution composed of one part of FD&C Green #3 or Methyl Violet to 5,000 parts of water, followed by washing in fresh water until the washings are no longer colored, or by the application of finely powdered charcoal. Freezing shall be preceded by chilling the livers to a temperature not above 40° F. Livers packed in containers not more than 7 inches thick shall then be held for a period of not less than 10 days at a temperature not higher than 15° F. or for a period of not less than 5 days at a temperature not higher



than 10° F. Livers packed in containers over 7 inches but less than 27 inches thick shall be held not less than 20 days at a temperature not higher than 15° F., or for not less than 10 days at a temperature not higher than 10° F. In lieu of freezing, the livers may be thoroughly cooked and then slashed and denatured in the manner indicated above. It is essential that the livers be sufficiently denatured through discoloration by the dye or charcoal to preclude their use as human food. Freezing may be accomplished in the regular freezer in a properly separated compartment or receptacle held under division lock.

(b) Livers condemned on account of hydatids or fringed tapeworms may not be forwarded as fish feed unless thoroughly cooked, slashed, and denatured as indicated in paragraph (a) of this section.

(c) Livers condemned on account of parasites other than flukes, hydatids, or fringed tapeworms may be forwarded as fish feed without refrigeration or cooking after slashing and denaturing as indicated in paragraph (a) of this section.

(d) Livers condemned for telangiectasis, angioma, "sawdust" condition, cirrhosis, or other nonmalignant change, benign abscesses, or contamination, when these conditions are not associated with infectious diseases in carcasses, may be forwarded as fish feed without refrigeration or cooking: *Provided*, All tissue affected with abscesses is removed and destroyed within the establishment: *And provided further*, That all livers are slashed and denatured as indicated in paragraph (a) of this section.

(e) Livers specified in the foregoing paragraphs shall be placed in containers plainly marked "fish feed—inedible," and when shipped in interstate commerce shall be certified as required by § 25.14 of this subchapter.

## PART 15—RENDERING CARCASSES AND PARTS INTO LARD, RENDERED PORK FAT, AND TALLOW, AND OTHER COOKING

### Sec.

- 15.1 Carcasses and parts passed for cooking; rendering into lard, rendered pork fat, or tallow.
- 15.2 Carcasses and parts passed for cooking not rendered into lard, rendered pork fat, or tallow; utilization of, for food purposes after cooking.
- 15.3 Disposal of product passed for cooking if not handled according to this part.

**§ 15.1 Carcasses and parts passed for cooking, rendering into lard, rendered pork fat, or tallow.** Carcasses and parts passed for cooking may be rendered into lard or rendered pork fat (in accordance with subparagraphs (18) and (20), respectively, of § 17.8 (c) of this subchapter or rendered into tallow: *Provided*, Such rendering is done in the following manner:

(1) When closed rendering equipment is used, the lower opening, except when permanently connected with a blow line, shall first be sealed securely by a division employee, then the carcasses or parts shall be placed in such equipment in his presence, after which the upper opening will be securely sealed by such employee. When the product passed for cooking in the tank does not consist of a carcass or whole primal part, the requirements for sealing shall be at the discretion of the inspector in charge. Such carcasses and parts shall be cooked for a time sufficient to render them effectually into lard, rendered pork fat, or tallow: *Provided*, All parts of the product are heated to a temperature not lower than 170° F. for a period of not less than 30 minutes.

(2) Establishments not equipped with closed rendering equipment for rendering carcasses and parts passed for cooking into lard, rendered pork fat, and tallow may render such carcasses or parts in open kettles under the direct supervision of a division employee. Such rendering shall be done during regular hours of work and in compliance with the requirements as to temperature and time specified in subparagraph (1) of this paragraph.

**§ 15.2 Carcasses and parts passed for cooking not rendered into lard, rendered pork fat, or tallow; utilization of, for food purposes after cooking.** (a) Carcasses and parts passed for cooking, except as specified in § 11.20 of this subchapter, may be used for the preparation of such products as canned meat, sausage, cooked or boiled meat, meat loaves, and similar products: *Provided*, All parts of such carcasses and parts which are so used are heated to a temperature not lower than 170° F. for a period of not less than 30 minutes, either before being used in or during the preparation of the finished product.

(b) When product passed for cooking is used as an ingredient of a meat food product as contemplated in paragraph (a) of this section at least 50 percent of the meat and meat

byproduct ingredient shall consist of product passed for cooking. This requirement shall not apply when the product passed for cooking has been previously cooked as specified in paragraph (a) of this section before being used as an ingredient of a meat food product.

**§ 15.3 Disposal of product passed for cooking if not handled according to this part.** Product passed for cooking if not handled and processed under the provisions of this part, shall be disposed of in accordance with Part 14 of this subchapter.

## PART 16—MARKING, BRANDING, AND IDENTIFYING PRODUCTS

Sec.

- 16.1 Approval of abbreviations of marks of inspection.
- 16.2 Preparation of marking devices bearing inspection legend without advance approval prohibited; exception.
- 16.3 Use of inspection legend prohibited except under supervision of division employee.
- 16.4 Brands and marking devices to be approved by director of division; control of brands, etc.
- 16.5 Articles not to be removed from establishments unless marked in accordance with regulations.
- 16.6 Marks of inspection to be carefully applied.
- 16.7 Branding ink to be furnished by establishment; approval by division, color.
- 16.8 Control and use of brands and marking devices furnished by division.
- 16.9 Brands and marking devices not to be false or misleading; style and size of lettering.
- 16.10 Carcasses, primal parts, and products; marking with inspection legend.
- 16.11 Moving and handling of primal parts from one establishment to another.
- 16.12 Handling of products too small to be marked with brand.
- 16.13 Marking of meat food products in casings.
- 16.14 Marking product with the list of ingredients.
- 16.15 Marking of shipping containers; domestic meat label.
- 16.16 Tank cars and tank trucks of edible product.
- 16.17 Transferring inspected and passed product for export.
- 16.18 Denaturing of inedible grease, etc.; marking "inedible."

**§ 16.1 Approval of abbreviations of marks of inspection.** The director of division may approved and authorize the use of abbreviations of marks of inspection under the regulations in Parts 1 through 29 of this subchapter. Such abbreviations shall have the same force and effect as the respective marks for which they are authorized abbreviations.

**§ 16.2 Preparation of marking devices bearing inspection legend without advance approval prohibited; exception.** Except for the purposes of submitting a sample or samples of the same to the director of division for approval, no person shall procure, make, or prepare, or cause to be procured, made, or prepared, labels, brands, or other marking devices bearing the inspection legend or any abbreviations, copy or representation thereof, for use on any product without the written authority therefor of the director of division. However, when any sample label, brand, or other marking device is approved by the director of division, new supplies of such labels and new brands and other marking devices of a character exactly similar to such approved sample may be procured, made, or prepared, for use in accordance with the regulations in Parts 1 through 29 of this subchapter, without further approval by the director of division.

**§ 16.3 Use of inspection legend prohibited except under supervision of division employee.** (a) No person shall affix or place, or cause to be affixed or placed, the inspection legend, or any abbreviation, copy, or representation thereof, to or on any product or container thereof, except under the supervision of a division employee.

(b) No person shall fill, or cause to be filled, in whole or in part, with any product, any container bearing or intended to bear, the inspection legend, or any abbreviation, copy, or representation thereof, except under the supervision of a division employee.

**§ 16.4 Brands and marking devices to be approved by director of division; control of brands, etc.** Official establishments shall furnish such ink brands, burning brands, and like devices for marking product as the director of division may require. The mark of inspection on such a device shall be in the circular form as a facsimile of one of the official brands, using the size best suited for the purpose intended. In advance of manufacture, complete and accurate descriptions and designs of the same shall be submitted to and approved by the director of division. Every such brand and device which bears the inspection legend shall be delivered into the custody of the inspector in charge of the establishment, and shall be used only under the supervision of a division employee. When not in use for marking inspected and passed product, all such brands and devices bearing the inspection legend shall be kept locked in properly equipped





lockers or compartments, the keys of which shall not leave the possession of a division employee.

**§ 16.5 Articles not to be removed from establishments unless marked in accordance with regulations.** No person shall remove or cause to be removed from an official establishment any article which the regulations in Parts 1 through 29 of this subchapter require to be marked in any way unless the same is clearly and legibly marked in compliance with the regulations in Parts 1 through 29 of this subchapter.

**§ 16.6 Marks of inspection to be carefully applied.** All marks of inspection shall be carefully applied and securely affixed.

**§ 16.7 Branding ink to be furnished by establishment; approval by division, color.** (a) Official establishments shall furnish all ink for marking product. Such ink must be made with harmless ingredients that are approved for the purpose by the division. Samples of ink shall be submitted to the meat inspection laboratory from time to time as may be deemed necessary by the inspector in charge.

(1) Only purple ink approved for the purpose shall be used to apply ink brands bearing the marks of inspection to carcasses and fresh meat cuts derived therefrom.

(2) Ink brands bearing the marks of inspection used for purposes other than in subparagraph (1) of this paragraph may be applied with branding ink of any color and composition that will assure ready legibility and permanence of marking, except as provided in subparagraph (3) of this paragraph. The color of the ink shall provide acceptable contrast with the color of the product to which it is applied.



(3) Product shall not be marked with green ink except that, if desired by the establishment, such ink may be used for holiday markings and designs.

**§ 16.8 Control and use of brands and marking devices furnished by division.** All brands and devices furnished by the division for marking articles with the inspection legend, including self-locking seals, shall be used only under the supervision of a division employee, and, when not in use for marking, shall be kept locked in properly equipped lockers or compartments, the keys of which shall not leave the possession of a division employee.

**§ 16.9 Brands and marking devices not to be false or misleading; style and size of lettering.** No brand or device shall be false or misleading. The letters and figures thereon shall be of such style and type as will make a clear and legible impression.

**§ 16.10 Carcasses, primal parts, and products; marking with inspection legend.** (a) Each carcass which has been inspected and passed in an official establishment shall be marked at the time of inspection with the inspection legend and with the number of the establishment.

(b) Except as provided otherwise in this part and in Part 25 of this subchapter, each primal part of a carcass, the beef cod fat, and beef kidney fat, and each liver, beef tongue, and beef heart which has been inspected and passed shall be marked with the inspection legend and the number of the establishment before it leaves the establishment in which it is first inspected and passed, and each inspected and passed product susceptible of being marked shall be marked with the inspection legend and the number of the establishment where it was last processed: *Provided*, That skinned bacon intended for slicing need not be so marked if packed in properly marked containers. Additional marks of inspection may be applied as desired to meet local conditions.

(c) Beef livers shall be marked with the inspection legend and the establishment number on the convex surface of the thickest portion of the organ.

**§ 16.11 Moving and handling of primal parts from one establishment to another.** Primal parts of carcasses which have been inspected and passed but do not bear the inspection legend may be transported from one official establishment to another official establishment, for further processing, in a car, truck, or other closed container, if the car, truck, or

container be sealed with a division seal bearing the inspection legend in compliance with the regulations in Parts 1 through 29 of this subchapter.

**§ 16.12 Handling of products too small to be marked with brand.** Any product of such character or so small that it cannot be marked with a brand, and which has been inspected and passed but does not bear the inspection legend, may be removed from an official establishment for local or interstate transportation in closed containers bearing the inspection legend and such other marks as are required by the regulations in Parts 1 through 29 of this subchapter or in open containers bearing the inspection legend applied by means of a domestic meat label or trade label: *Provided*, That upon removal from such closed or open containers the product may not be further transported in interstate or foreign commerce unless reinspected by a division employee and packed under his supervision in a container or containers bearing the inspection legend and such other marks as are required by the regulations in Parts 1 through 29 of this subchapter: *And provided further*, That unmarked product shall not be brought into an official establishment in an open container, except that which is returned to the establishment, and this must be held separate from other product pending removal from the establishment for disposal in intrastate trade only.

**§ 16.13 Marking of meat food products in casings.** (a) Inspected and passed sausage and other products in casings, of the ordinary "ring" variety or larger, shall be marked with the inspection legend and the number of the establishment. Inspected and passed sausage and other products in casings, of the smaller varieties, shall bear one or more inspection marks to each chain or two or more of such marks to each bunch, except in cases where such smaller varieties of sausage and products leave establishments completely enclosed in properly labeled cartons or wrappers, having a capacity of 10 pounds or less and containing a single kind of product: *Provided*, That the mark of inspection need appear only twice throughout the contents of containers, exceeding a capacity of 10 pounds, of sausages of the smaller varieties shipped to another official establishment for further processing, or to a governmental agency. When such products are shipped to another official establishment for further processing, the inspector in charge at the point of origin shall iden-

tify the shipment to the inspector in charge at destination.

(b) Meat food products in casings, other than sausage, which possess the characteristics of or resemble sausage, shall bear on each link or piece the word "imitation" prominently displayed: *Provided*, That such products in casings as coppa, capocollo, lachschinken, bacon, pork loins, pork shoulder butts, and similar cuts of meat which are prepared without added substances other than curing materials or condiments, and meat rolls, bockwurst, and similar products in casings which do not contain cereal or vegetables, and headcheese, souse, sulze, scrapple, blood pudding, and liver pudding in casings need not be so marked; other products in casings such as loaves, chili con carne, and meat and cheese products when prepared with sufficient cheese to give definite characteristics to the finished products, may bear on each link or piece the true name of the product in lieu of the word "imitation"; and imitation sausage packed in properly labeled containers having a capacity of 1 pound or less and of a kind usually sold at retail intact, need not bear the word "imitation" on each link or piece if no other marking or labeling is applied to the product.

(c) When cereal, vegetable starch, starchy vegetable flour, soya flour, dried milk, or nonfat dry milk is added to sausage within the limits prescribed under Part 18 of this subchapter, the product shall be marked with the name of each of such added ingredients, as for example, "cereal added," "potato flour added," "cereal and potato flour added," "soya flour added," "nonfat dry milk added," "cereal and nonfat dry milk added," etc., as the case may be. On sausage of the smaller varieties, the marking prescribed in this paragraph may be limited to links bearing the inspection legend.

(d) (1) When product is placed in casing to which artificial coloring is applied, as permitted under Parts 1 through 29 of this subchapter, the article shall be legibly and conspicuously marked by stamping or printing on the casing or securely affixing to the article the words "artificially colored."

(2) If the casing is removed from product at an official establishment and there is evidence of artificial coloring on the surface of the product, the article from which the casing has been removed shall be marked by stamping directly thereon or by securely affixing thereto the printed words "artificially colored."

(3) The casing containing product need not be marked to show that it is colored if it is colored prior to its use as a covering for the product, and the coloring is of a kind and so applied as not to be transferable to the product and not to be misleading or deceptive with respect to color, quality, or kind of product enclosed in the casing.

(4) In the case of sausage of the smaller varieties the marking prescribed in this paragraph may be limited to links bearing the inspection legend.

(e) When approved antioxidants are added to unsmoked dried sausage in casings the products shall be legibly and conspicuously marked in an approved manner to show their presence and the purpose for which they are added, for example, with the statement "oxygen interceptor added to improve stability".

(f) A cloth bag, artificial casing, or similar container of sausage or other product of a size larger than that customarily sold at retail intact shall be printed with the mark of inspection and any other marks required under paragraphs (b) through (e), near each end of the product, so as to be clearly visible to the consumer: *Provided*, That such articles which are printed with a label in conformity with Part 17 need not, in addition, show markings other than the mark of inspection near each end.

(g) The markings indicated in paragraph (f) of this section shall be branded near each end of sausage or similar product prepared in animal casings when the article is of a size larger than that customarily sold at retail intact.

(h) All markings may be omitted from sausage and other meat food products in casings when these articles are to be processed in sealed containers.

**§ 16.14 Marking product with the list of ingredients.** A product fabricated from two or more ingredients shall bear a list of the ingredients, giving the common or usual names of the ingredients arranged in the order of their predominance, except that spices may be designated as "spices" or "flavorings," and flavorings (including essential oils, oleoresins, and other spice extractives) may be designated as "flavorings" without naming each. The list of ingredients shall be applied legibly and securely to the product by means approved by the director of division, such as stamping, printing, or the use of paper bands, tags, or tied-in paper or fabric flaps on stuffed sausage, or tissue strips on loaf-like articles:



*Provided*, That product for which a definition and standard of identity has been prescribed under Part 28 of this subchapter which conforms to such definition and standard, and which bears the name specified in the definition and standard, together with such declaration of optional ingredients and other labeling features as are required by the applicable definition and standard, need not bear a list of ingredients: *Provided further*, That bockwurst and sausages of the smaller varieties, such as frankfurters and pork sausage, shall bear the list of ingredients at least once on each 2 pounds of product: *Provided further*, That when such product is distributed from an official establishment in an immediate or true container of a type and size customarily sold at retail intact, the list of ingredients on the label of the package shall be sufficient: *And provided further*, That when sausages of the smaller varieties are shipped to another official establishment for further processing, or to a governmental agency, the list of ingredients need appear only twice throughout the contents of containers and when so shipped may be omitted from the contents of containers of 10-pound size or less. When such products are shipped to another official establishment for further processing, the inspector in charge at the point of origin shall identify the shipment to the inspector in charge at destination by means of Form MI 408-1.

**§ 16.15 Marking of shipping containers; domestic meat label.** (a) Except as provided in this part and Part 25 of this subchapter, when any inspected and passed product for domestic commerce is moved from an official establishment, the shipping container shall bear an approved mark of inspection, as prescribed in Part 17 of this subchapter, or an approved domestic meat label, whichever is appropriate. The domestic meat label shall be  $2\frac{3}{4}$  by 4 inches in size and shall be in form and substance as illustrated on page 69, except that the name and address of the establishment or the name only, may be printed on the label, at the bottom thereof.

The domestic meat label shall be printed with black ink on white paper of good quality, except that in the case of fiber-board shipping containers it may be printed directly on such containers in black ink on any color background, except green, which offers sufficient contrast so that it is prominently and informatively displayed.

(b) When any product prepared in an official establishment for domestic commerce has been inspected and passed



DOMESTIC MEAT LABEL

## ESTABLISHMENT 38

THE MEAT OR MEAT FOOD PRODUCT  
CONTAINED HEREIN HAS BEEN U. S.  
INSPECTED AND PASSED BY DEPART-  
MENT OF AGRICULTURE.

and is enclosed in a cloth wrapping, such wrapping may bear, in lieu of the domestic meat label, the inspection legend and establishment number applied by the approved 2½-inch rubber brand: *Provided*, The domestic meat label or rubber brand may be omitted in those cases in which the inspection legend and establishment number on the articles themselves are clearly legible through the wrapping or the wrapping is labeled in accordance with Part 17 of this subchapter: *Provided further*, That plain unprinted wrappings such as stockinettes, cheese cloth, paper and crinkled paper bags for properly marked fresh meat, including carcasses, and primal parts thereof, which are used solely to protect the product against soiling or excessive drying during transportation or storage need not bear the marks of inspection.

(c) The shipping or outside containers of products for export shall be marked in compliance with Part 24 of this subchapter.

**§ 16.16 Tank cars and tank trucks of edible product.** Each tank car and each tank truck carrying inspected and passed product from an official establishment shall bear a label containing the true name of the product, the inspection legend, the establishment number, and the words "date of

loading," followed by a suitable space for the insertion of the date. The label shall be located conspicuously and shall be printed on material of such character and so affixed as to preclude detachment or effacement upon exposure to the weather. Before the car or truck is removed from the place where it is unloaded, the carrier shall remove or obliterate such label.

**§ 16.17 Transferring inspected and passed product for export.** When inspected and passed products for export are transferred from tank cars to other containers on boats, such transfer shall be under division supervision, and the containers on the boats shall be labeled in the same manner as required by § 16.16 for tank cars.

**§ 16.18 Denaturing of inedible grease, etc.; marking "inedible."** (a) Inedible grease, inedible tallow, or other inedible animal fat, or mixture containing such fat, having the physical characteristics of an edible product shall be denatured or otherwise destroyed for food purposes. Containers of such inedible grease, inedible tallow, or other inedible fat shall be marked conspicuously with the word "inedible." Such containers as tierces, barrels, and half barrels shall have both ends painted white with durable paint, if necessary, to provide a contrasting background and the word "inedible" marked thereon in letters not less than 2 inches high, while on tank cars the letters shall be not less than 4 inches high.

(b) Inspected rendered animal fat which for any reason it is desired to classify as inedible may be shipped interstate if handled as provided in paragraph (a) of this section for inedible fat having the physical characteristics of an edible product.

(c) Uninspected nonexempt rendered animal fat, or mixtures containing such fat, having the physical characteristics of an edible product may be shipped interstate if handled as provided in paragraph (a) of this section for inedible fat having the physical characteristics of an edible product.

## PART 17—LABELING

Sec.

- 17.1 Labeling required; supervision by division employee.
- 17.2 Labels: What to contain, when and how used.
- 17.3 Labels to conform with definitions and standards of identity.
- 17.4 Labels to be approved by director of division.
- 17.5 Inspector in charge to permit certain modifications of approved labels.

Sec.

- 17.6 Approved labels to be used only on products to which they are applicable.
- 17.7 Product for foreign commerce; printing labels in foreign language permissible.
- 17.8 False or deceptive names; established trade names; false indication of origin or quality; use of names of countries, States, etc.; "farm," "country," etc., qualified by word "style"; labeling of lard, oleo oil, oleo stearin, etc.
- 17.9 Labeling product prepared with artificial coloring, artificial flavoring, antioxidants or preservatives.
- 17.10 Reuse of inspection marks; reuse of containers bearing marks of inspection, labels, etc.; requirements regarding.
- 17.11 Labeling, filling of containers, handling of labeled products to be only in compliance with regulations.
- 17.12 Relabeling product, requirements regarding.
- 17.13 Distribution of labels bearing an inspection legend.
- 17.14 Rescindment of label approvals.

**§ 17.1 Labeling required; supervision by division employee.** (a) When, in an official establishment, any inspected and passed product is placed or packed in any can, pot, tin, canvas, or other receptacle or covering constituting an immediate or true container, there shall be affixed to such container or covering a label as hereinafter described in this part: *Provided*, That plain wrappings for fresh meat, such as dressed carcasses and primal parts thereof, which are used solely to protect the product against soiling or excessive drying during transportation or storage need not bear a label: *Provided further*, That uncolored transparent coverings, such as cellophane, which bear no printed or graphic matter and which enclose any unpackaged or packaged product bearing all required markings need not bear a label if the required markings are clearly legible through such coverings: *Provided further*, That animal and transparent artificial casings bearing no marks or printed features other than those required under Part 16 of this subchapter need not bear additional labeling: *And provided further*, That stockinettes used as "operative devices," such as those applied to cured meats in preparation for smoking, need not bear labels whether or not such stockinettes are removed following completion of the operations for which they were applied.

(b) Folders and similar coverings made of paper or like material, which do not completely enclose the product and which bear any printed word or statement, shall bear all features required on a label for an immediate or true container.

(c) No container or covering which bears or is to bear a

label shall be filled, in whole or in part, except with product which has been inspected and passed in compliance with Parts 1 through 29 of this subchapter, which is sound, healthful, wholesome, and fit for human food, and which is strictly in accordance with the statements on the label. No such container or covering shall be filled, in whole or in part, and no label shall be affixed thereto, except under the supervision of a division employee.

**§ 17.2 Labels: What to contain, when and how used.**

(a) Labels within the meaning of this part shall include any printing, lithographing, embossing, or other marking on labels, stickers, seals, wrappers, or receptacles.

(b) Labels shall contain, prominently and informatively displayed, the true name of the product; the word "ingredients" followed by a list of the ingredients when the product is fabricated from two or more ingredients, except in the case of products for which definitions and standards of identity have been prescribed under Part 28 of this subchapter; the name and place of business of the manufacturer, packer, or person for whom the product is prepared; an accurate statement of the quantity of contents; and an inspection legend and the number of the establishment in the form shown in this paragraph, on that portion of the label featuring the name of the product, or, when there are two or more panels, then on the principal display panels: *Provided*, That in lieu of showing the inspection legend and the establishment number in such form, in the case of large size fiberboard immediate containers a domestic meat label may be printed directly on such containers in size, form and substance as provided in § 16.15 (a) for use on fiberboard shipping containers: *Provided further*, That the name and place of business of the manufacturer, packer, or person for whom the product is prepared and the statement of quantity of contents may be omitted from labels for product not required to be labeled under § 17.1: *Provided further*, That the establishment number may be omitted from the labels on cartons used as outer containers of edible fats, such as lard and oleomargarine, when such articles are enclosed in wrappers which bear an inspection legend and establishment number; and from a label lithographed directly on a can bearing the embossed or lithographed establishment number: *And provided further*, That a metal container on which an inspection legend is embossed or lithographed may, with the





approval of the director of division, bear an inspection legend of different design and in abbreviated form.

(1) The name of a product shall be the common name, if any, and one which clearly and completely identifies the article. Product which has been prepared by salting, smoking, drying, cooking, chopping, and the like shall be so described on the label unless the name on the article implies, or the manner of packaging shows, that the product was subjected to such procedure or procedures. The unqualified terms "meat," "meat byproduct," "meat food product," and terms common to the meat industry but not to consumers such as "picnic," "butt," "calaf," "square," "loaf," "spread," "delight," "roll," "plate," "luncheon," and "daisy" shall not be used as names of articles unless accompanied with terms descriptive of the product or with a list of ingredients.

(2) The list of ingredients shall appear as part of or in addition to the true name of the product and shall show the common or usual names of the ingredients arranged in the order of their predominance, except that spices may be designated as "spices" or "flavorings," and flavorings (including essential oils, oleoresins, and other spice extractives) may be designated as "flavorings" without naming each. The name of an ingredient shall not be a collective name but shall be a specific name, as, for example, "beef," "pork," "beef tripe," "sheep livers," "pork snouts," "flour," "corn flour," "potato flour," "water," "nonfat dry milk," "tomato puree," and "beef broth": *Provided*, That when a product is coated with pork fat, gelatin, or other approved substance and a specific declaration of such coating appears in connection with the name of product, the ingredient statement need not

make reference to the ingredients of such coating: *And provided further*, That when the label bears the designation "compound" or "shortening" the term "animal and vegetable fats" or "vegetable and animal fats" may be employed to designate the ingredients of mixtures of such edible fats. "Animal fats" as used herein means inspected and passed fat derived from cattle, sheep, swine, or goats.

(3) The name of the manufacturer or packer may appear without qualification on the label or the container of product. When the name of the manufacturer or packer is not that under which inspection is granted at the establishment but is the name of a tenant operating in the establishment, full information identifying the tenant and the scope of his operations shall be furnished to the director of division. When product is not prepared by the person whose name appears on the label, the name shall be qualified by a phrase which reveals the connection such person has with such product, as for example, "Prepared for \* \* \*."

(4) The statement of quantity shall represent in terms of avoirdupois weight or liquid measure the quantity of product in the package (exclusive of materials packed with it) except as provided for in § 17.7. When no general consumer usage to the contrary exists, the statement shall be in terms of liquid measure, if the product is liquid, or in terms of weight if the product is solid, semisolid, viscous, or a mixture of solid and liquid. Unless the statement is so qualified as to show that it expresses the minimum quantity, it shall be taken to express the actual quantity. When the statement expresses the minimum quantity, no variation below the stated minimum shall be permitted, and variations above the stated minimum shall be no greater than consistent with filling the container to the stated minimum in accordance with good commercial practice. When the statement expresses actual quantity, variations incident to packing in accordance with good commercial practice shall be allowed but the average shall not be less than the quantity stated: *Provided*, That packages of product having a capacity of less than one-half ounce avoirdupois or less than one-half fluid ounce shall not be required to be labeled with the statement of the quantity of contents.

(c) Stencils, box dies, inserts, tags, and like devices shall not bear an inspection legend or any abbreviation or representation thereof: *Provided*, That with the approval of the

director of division, box dies including the inspection legend and establishment number may be used in marking wooden boxes of light material having a maximum capacity of five pounds, fiber board containers, and wood wire-bound boxes and crates with at least 90 percent of the total wood surfaces being veneer wood not over one-sixth of an inch thick and of such quality that matter imprinted on it is legible.

(d) The establishment number shall be either embossed or lithographed on all sealed metal containers of inspected and passed product filled in an official establishment, except that such containers which bear labels lithographed directly on the can and in which the establishment number is incorporated need not have the establishment number embossed or lithographed thereon. Labels shall not be affixed to containers so as to obscure the embossed or lithographed establishment number.

(e) When any product is placed in a carton or in a wrapper of paper or cloth or in such other labeled container or covering as the director of division may approve, an inspection legend and the establishment number, in form and substance as specified in paragraph (b) of this section, may be embodied on a sticker to be securely and prominently affixed, along with the name of product, at a place on the label reserved and designated for the purpose. In case there are two or more display panels featuring the name of product, the inspection sticker shall be affixed to the principal panel or panels. The inspection sticker shall not be used without the approval of the director of division and shall be affixed to the label under the supervision of a division employee.

(f) Meat and meat food products packaged in consumer size impervious film containers which are usually displayed in self-service refrigerated counters shall have a statement such as "Keep Refrigerated" prominently displayed on the principal display panel of the label.

**§ 17.3 Labels to conform with definitions and standards of identity.** When inspected and passed products are labeled with the names of, or are represented as, articles for which definitions and standards of identity have been prescribed under Part 28 of this subchapter, the labels shall conform to such definitions and standards.

**§ 17.4 Labels to be approved by director of division.**

(a) Except as provided in paragraph (d) of this section no label shall be used on any product until it has been approved

in its final form by the director of division. For the convenience of the establishment sketches or proofs of new labels may be submitted in triplicate through the inspector in charge to the division for approval and the preparation of finished labels deferred until such approval is obtained. All finished labels shall be submitted in quadruplicate through the inspector in charge to the division for approval.

(b) In case of lithographed labels, paper take-offs in lieu of sections of the metal containers shall be submitted for approval. Such paper take-offs shall not be in the form of a negative but shall be a complete reproduction of the label as it will appear on the package, including any color scheme involved. In case of fiber containers, printed layers such as the kraft paper sheet, shall be submitted for approval in lieu of the complete container.

(c) Inserts, tags, liners, pasters, and like devices containing printed or graphic matter and for use on, or to be placed within, containers and coverings of product shall be submitted for approval in the same manner as provided for labels in paragraph (a) of this section, except that inspectors in charge may permit use of such devices which contain no reference to product and bear no misleading feature.

(d) Stencils, labels, box dies, and brands may be used on shipping containers and on such immediate containers as tierces, barrels, drums, boxes, crates, and large-size fiber-board containers provided the markings are applicable to the product, are not false or deceptive, and are used with the approval of the inspector in charge. The inspection legend for use in combination with such markings shall be approved by the director of division whether the legend is applied in the form illustrated in § 17.2 or by means of a domestic meat label.

**§ 17.5 Inspector in charge to permit certain modifications of approved labels.** The inspector in charge may permit the use of approved labels or other markings modified as follows provided the labeling or marking as modified is so used as not to be false or deceptive:

(a) When all features of the label or marking are proportionately enlarged and the color scheme remains the same.

(b) When changes are made in the figures denoting the quantity of contents or when there is substitution of such abbreviations as "lb." for "pound," "oz." for "ounce," or the word "pound" or "ounce" is substituted for the abbreviation.



(c) When a master or stock label is approved from which the name and address of the distributor are omitted and such name and address are applied before being used. The words "prepared for" or similar statement must be shown together with the blank space reserved for the insertion of the name and address when such labels are offered for approval.

(d) When, during Christmas and other holiday seasons, wrappers or other covers bearing floral or foliage designs or illustrations of rabbits, chicks, fireworks, or other emblematic holiday designs are used with approved labels or markings. The use of such designs will not make necessary the application of labeling not otherwise required.

(e) When there is a slight change in arrangement of directions pertaining to the opening of cans or the serving of the product.

(f) When there is a change in the order of predominance of the ingredients on the label corresponding with a change in the formula used to prepare the product: *Provided*, That no new ingredients are added and none are omitted. Nothing in this paragraph shall be construed to modify any requirement of these regulations which provides either minimum or maximum limits for the use of certain ingredients.

**§ 17.6 Approved labels to be used only on products to which they are applicable.** Labels shall be used only on products for which they are approved. They shall not be applied to any product the container or covering of which bears any statement that is false or misleading or is so made, formed, or filled as to be deceptive or misleading.

**§ 17.7 Product for foreign commerce; printing labels in foreign language permissible.** Labels to be affixed to packages of product for foreign commerce may be printed in a foreign language and may show the statement of the quantity of contents in accordance with the usage of the country to which exported. Deviations from the form of labeling required under Parts 1 through 29 of this subchapter may be approved by the director of division: *Provided*, (1) That the proposed labeling accords to the specifications of the foreign purchaser, (2) That it is not in conflict with the laws of the country to which it is intended for export, and (3) That the outside of the shipping package is labeled to show that it is intended for export; but if such product is sold or

offered for sale in domestic commerce all the requirements of Parts 1 through 29 of this subchapter apply. The inspection legend and the establishment number shall in all cases appear in English but, in addition, may appear literally translated in a foreign language.

**§ 17.8 False or deceptive names; established trade names; false indication of origin or quality; use of names of countries, States, etc.; "farm," "country," etc., qualified by word "style"; labeling of lard, oleo oil, oleo stearin, etc.** (a) No product, and no container thereof, shall be labeled with any false or deceptive name, but established trade names which are usual to such articles and are not false or deceptive and which have been approved by the director of division may be used.

(b) A label for product which is in imitation of another food shall bear the word "imitation" immediately preceding the name of the food imitated and in the same size and style of lettering as in that name and immediately thereafter the word "ingredients" and the names of the ingredients arranged in the order of their predominance.

(c) No statement, word, picture, design, or device, which conveys any false impression or gives any false indication of origin or quality shall appear on any label. For example:

(1) Terms having geographical significance with reference to a locality other than that in which the product is prepared may appear on the label only when qualified by the word "style," "type," or "brand," as the case may be, in the same size and style of lettering as in the geographical term and accompanied with a prominent qualifying statement identifying the country, State, Territory, or locality in which the product is prepared, using terms appropriate to effect the qualification. When the word "style" or "type" is used, there must be a recognized style or type of product identified with and peculiar to the locality represented by the geographical term and the product must possess the characteristics of such style or type, and the word "brand" shall not be used in such a way as to be false or deceptive: *Provided*, That a geographical term which has come into general usage as a trade name and which has been approved by the director of division as being a generic term may be used without the qualifications provided for in this paragraph. The terms "frankfurter," "vienna," "bologna," "lebanon bologna,"

“braunschweiger,” “thuringer,” “genoa,” “leona,” “berliner,” “holstein,” “goteborg,” “milan,” “polish,” and their modifications, as applied to sausages, the terms “brunswick,” and “irish” as applied to stews, and the term “boston” as applied to pork shoulder butts, need not be accompanied with the word “style,” “type,” or “brand” or a statement identifying the locality in which the product is prepared.

(2) Such terms as “farm,” “country,” and the like shall not be used on labels in connection with products unless such products are actually prepared on the farm or in the country: *Provided*, That if the product is prepared in the same way as on the farm or in the country these terms, if qualified by the word “style” in the same size and style of lettering, may be used: *Provided further*, That the term “farm” may be used as part of a brand designation when qualified by the word “brand” in the same size and style of lettering, and followed with a statement identifying the locality in which the product is prepared. Sausage containing cereal shall not be labeled “farm style” or “country style,” and lard not rendered in an open kettle shall not be designated as “farm style” or “country style.”

(3) The requirement that the label shall contain the name and place of business of the manufacturer, packer, or distributor shall not be considered to relieve any establishment from the requirement that its label shall not be misleading in any particular:

(4) The term “spring lamb” or “genuine spring lamb” is applicable only to carcasses of new-crop lambs slaughtered during the period beginning in March and terminating not beyond the close of the week containing the first Monday in October.

(5) Coverings shall not be of such color, design, or kind as to be misleading or deceptive with respect to color, quality, or kind of product to which they are applied. For example, transparent or semitransparent coverings for such articles as sliced bacon or pork sausage shall not bear lines or other designs of red or other color which give a false impression of leanness of the product.

(6) The word “fresh” shall not be used on labels to designate product which contains any sodium nitrate, sodium nitrite, potassium nitrate, or potassium nitrite, or which has been salted for preservation.

(7) The words “spice,” “spices,” and “spiced,” without

qualification, shall not be used unless they refer to genuine natural spices.

(8) As used on labels of meat or product, the term "gelatin" shall mean (i) the jelly prepared in official establishments by cooking pork skins, tendons, or connective tissue from inspected and passed product, and (ii) dry commercial gelatin or the jelly resulting from its use.

(9) Product (other than canned product) labeled with the term "loaf" as its name or part of its name shall be prepared in loaf form.

(10) The term "baked" shall apply only to the product which has been cooked by the direct action of dry heat and for a sufficient time to permit the product to assume the characteristics of a baked article, such as the formation of a brown crust on the surface, rendering out of surface fat, and the caramelization of the sugar if applied. Baked loaves shall be heated to a temperature of at least 160° F. and baked pork cuts shall be heated to an internal temperature of at least 170° F.

(11) When product such as loaves is browned by dipping in hot edible oil or by a flame, its label shall state such fact, the words "Browned in Hot Cottonseed Oil" or "Browned by a Flame," as the case may be, appearing as part of the name of product.

(12) The term "meat" and the names of particular kinds of meat, such as beef, veal, mutton, lamb, and pork, shall not be used in such manner as to be misleading or deceptive.

(13) The word "ham," without any prefix indicating the species of animal from which derived, shall be used on labels only in connection with pork hams. Ham shanks as such or ham shank meat as such or the trimmings accruing in the trimming and shaping of hams shall not be labeled "ham" or "ham meat" without qualification. When used in connection with a chopped product the term "ham" or "ham meat" shall not include the skin.

(14) The terms "shankless" and "hockless" shall apply only to hams and pork shoulders from which the shank or hock has been completely removed, thus eliminating the entire tibia and fibula, or radius and ulna, respectively, together with the overlying muscle, skin, and other tissue.

(15) Such terms as "meat extract" or "extract of beef" without qualification shall not be used on labels in connection with products prepared from organs or parts of the carcass



other than fresh meat. Extracts prepared from any parts of the carcass other than fresh meat shall not be labeled "meat extract" but may be properly labeled with the true name of the parts from which prepared. In the case of extract in fluid form, the word "fluid" shall also appear on the label, as, for example, "fluid extract of beef." Meat extract shall contain not more than 25 percent of moisture. Fluid extract of meat shall contain not more than 50 percent of moisture.

(16) When cereal, vegetable starch, starchy vegetable flour, soya flour, dried milk, or nonfat dry milk is added to sausage within the limits prescribed under Part 18 of this subchapter, there shall appear on the label in a prominent manner, contiguous to the name of the product, the name of each such added ingredient, as, for example, "cereal added," "with cereal," "potato flour added," "cereal and potato flour added," "soya flour added," "nonfat dry milk added," "cereal and nonfat dry milk added," as the case may be.

(17) When any product is enclosed in a container along with a packing substance such as brine, vinegar, or agar jelly, a declaration of the packing substance shall be printed prominently on the label in connection with the name of product, as, for example, "frankfurts packed in brine," "lamb tongue packed in vinegar," or "beef tongue packed in agar jelly," as the case may be. The statement of the quantity of contents shall represent the weight of the drained product when removed from the container to the exclusion of the packing substance. The packing substance shall not be used in such a manner as will result in the container being so filled as to be misleading.

(18) The term "lard" is applicable only to the fat rendered from fresh, clean, sound, fatty tissues from hogs in good health at the time of slaughter, with or without lard stearin or hydrogenated lard. The tissues do not include bones, detached skin, head skin, ears, tails, organs, windpipes, large blood vessels, scrap fat, skimmings, settlings, pressings, and the like, and are reasonably free from muscle tissue and blood.

(19) The term "leaf lard" is applicable only to lard prepared from fresh leaf fat.

(20) The term "rendered pork fat" is applicable to the fat other than lard, rendered from clean, sound carcasses, parts of carcasses, or edible organs from hogs in good health

at the time of slaughter, except that stomachs, bones from the head, and bones from cured or cooked pork are not included. The tissues rendered are usually fresh, but may be cured, cooked, or otherwise prepared and may contain some meat food products. Rendered pork fat may be hardened by the use of lard stearin and/or hydrogenated lard and/or rendered pork fat stearin and/or hydrogenated rendered pork fat.

(21) When lard or hardened lard is mixed with rendered pork fat or hardened rendered pork fat, the mixture shall be designated as "rendered pork fat" or "hardened rendered pork fat," as the case may be.

(22) Oil, stearin, or stock obtained from beef or mutton fats rendered at a temperature above 170° F. shall not be designated as "oleo oil," "oleo stearin," or "oleo stock," respectively.

(23) When not more than 20 percent of beef fat, mutton fat, oleo stearin, vegetable stearin, or hardened vegetable fat is mixed with lard or with rendered pork fat, there shall appear on the label, contiguous to and in the same size and style of lettering as the name of product, the words "beef fat added," "mutton fat added," "oleo stearin added," "vegetable stearin added," or "hardened vegetable fat added," as the case may be.

(24) The designation "vegetable fat" is applicable to vegetable oil, vegetable stearin, or a combination of such oil and stearin, whereas the designations "vegetable oil" and "vegetable stearin" shall be applicable only to the oil and the stearin, respectively.

(25) No rendered edible animal fat or mixture of fats containing rendered edible animal fat shall contain added water, except that puff-pastry shortening may contain not more than 10 percent of water, and oleomargarine may contain water within the limits prescribed under Part 28 of this subchapter.

(26) Containers of edible rendered animal fats and mixtures of edible fats containing animal fats shall, before or immediately after filling, be legibly marked with the true name of the product.

(27) Product labeled "Chili Con Carne" shall contain not less than 40 percent of meat computed on the weight of the fresh meat. Head meat, cheek meat, and heart meat exclusive of the heart cap may be used to the extent of 25 percent of the meat ingredient under specific declaration on the label. The mixture may contain not more than 8 percent, individ-

ually or collectively, of cereal, vegetable starch, starchy vegetable flour, soya flour, dried milk or nonfat dry milk.

(28) Product labeled "Chili Con Carne With Beans" shall contain not less than 25 percent of meat computed on the weight of the fresh meat. Head meat, cheek meat, and heart meat exclusive of the heart cap may be used to the extent of 25 percent of the meat ingredient under specific declaration on the label.

(29) Product labeled "hash" shall contain not less than 35 percent of meat computed on the weight of the cooked and trimmed meat. The weight of the cooked meat used in this calculation shall not exceed 70 percent of the weight of the uncooked fresh meat.

(30) Products labeled as meat stews, for example, "beef stew," "lamb stew," and the like, shall contain not less than 25 percent of meat computed on the weight of the fresh meat.

(31) Product labeled "Tamales" shall be prepared with at least 25 percent meat computed on the weight of the uncooked fresh meat in relation to all ingredients of the tamales. When tamales are packed in sauce or gravy, the name of the product shall include a prominent reference to the sauce or gravy, for example "Tamales With Sauce," or "Tamales With Gravy." Product labeled "Tamales With Sauce" or "Tamales With Gravy" shall contain not less than 20 percent meat, computed on the weight of the uncooked fresh meat in relation to the total ingredients making up the tamales and sauce or the tamales and gravy.

(32) Spaghetti with meat balls and sauce, spaghetti with meat and sauce, and similar product, shall contain not less than 12 percent of meat computed on the weight of the fresh meat. The presence of the sauce or gravy constituent shall be declared prominently on the label as part of the name of the product. Meat balls may be prepared with not more than 12 percent, singly or collectively, of farinaceous material, soya flour, nonfat dry milk, and the like.

(33) Spaghetti sauce with meat shall contain not less than 6 percent of meat computed on the weight of the fresh meat.

(34) Scrapple shall contain not less than 40 percent of meat and/or meat byproducts computed on the basis of the fresh weight, exclusive of bone. The meal or flour used may be derived from grain and/or soybeans.

(35) Hamburger shall consist of chopped fresh beef, with

or without the addition of beef fat as such and/or of seasoning, and shall not contain more than 30 percent of fat.

(36) Liver sausage, liver loaf, liver paste, liver cheese, liver pudding, liver spread, and the like shall contain not less than 30 percent of liver computed on the weight of the fresh liver.

(37) Product labeled "ham spread," "tongue spread," and the like, shall contain not less than 50 percent of the meat ingredient named computed on the weight of the fresh meat. Other meat and fat may be used to give the desired spreading consistency provided it does not detract from the character of the named spread.

(38) Deviled ham may contain added ham fat: *Provided*. That the total fat content shall not exceed 35 percent of the finished product. The moisture content of deviled ham, deviled tongue, and the like, shall not exceed that of the fresh unprocessed meat.

(39) Potted meat food product and deviled meat food product shall not contain cereal, vegetable flour, nonfat dry milk or similar substance. The amount of water added to potted meat food product and deviled meat food product shall be limited to that necessary to replace moisture lost during processing.

(40) Pork sausage and breakfast sausage, whether fresh, smoked, or canned, shall not be made with product which, in the aggregate for each lot, contains more than 50 percent trimmable fat; that is, fat which can be removed by thorough, practicable trimming and sorting.

(41) Cooked, cured, or pickled pigs feet, pigs knuckles, and the like, shall be labeled to show that the bones remain in the product, if such is the case. The designation "semi-boneless" shall not be used if less than 50 percent of the total weight of bones has been removed.

(42) Canned product labeled "Corned Beef" and canned product labeled "Roast Beef Parboiled and Steam Roasted" shall be prepared so that the weight of the finished product shall not exceed 70 percent by weight of the fresh beef, plus salt and flavoring material included in the product. Beef cheek meat and beef head meat from which the overlying glandular and connective tissues have been removed, and beef heart meat, exclusive of the heart cap, may be used individually or collectively to the extent of 5 percent of the meat ingredient in the preparation of canned product labeled



"Corned Beef" and canned product labeled "Roast Beef Par-boiled and Steam Roasted." When beef cheek meat, beef head meat, and beef heart meat are used in the preparation of these products, their presence shall be reflected in the statement of ingredients as required by this part.

(43) When monoglycerides and diglycerides are added to rendered animal fat or a combination of such fat and vegetable fat, there shall appear on the label in a prominent manner and contiguous to the name of the product a statement such as "With Monoglycerides and Diglycerides," "Monoglycerides and Diglycerides Added," "With Diglycerides and Monoglycerides" or "Diglycerides and Monoglycerides Added" as the case may be.

(44) Canned product labeled "Tripe With Milk" shall be prepared so that the finished canned article, exclusive of the cooked-out juices and milk, will contain at least 65 percent tripe. The product shall be prepared with not less than 10 percent milk.

(45) Product labeled "Beans With Frankfurters in Sauce," "Sauerkraut With Wieners and Juice," and the like, shall contain not less than 20 percent frankfurters or wieners computed on the weight of the smoked and cooked sausage prior to its inclusion with the beans or sauerkraut.

(46) Product labeled "Lima Beans With Ham in Sauce," "Beans With Ham in Sauce," "Beans With Bacon in Sauce," and the like, shall contain not less than 12 percent ham or bacon computed on the weight of the smoked ham or bacon prior to its inclusion with the beans and sauce.

(47) Product labeled "Chow Mein Vegetables With Meat" and "Chop Suey Vegetables With Meat" shall contain not less than 12 percent meat computed on the weight of the uncooked fresh meat prior to its inclusion with the other ingredients.

(48) Products labeled "Pork With Barbecue Sauce" and "Beef With Barbecue Sauce" shall contain not less than 50 percent meat computed on the weight of the cooked and trimmed meat. The weight of the cooked meat used in this calculation shall not exceed 70 percent of the uncooked weight of the meat. If uncooked meat is used in formulating the products, they shall contain at least 72 percent meat computed on the weight of the fresh uncooked meat. When cereal, vegetable flour, nonfat dry milk or similar substances

are used in preparing the products, such fact shall be prominently stated as a part of the name of the product.

(49) The weight of smoked products such as hams, pork shoulders, pork shoulder picnics, pork shoulder butts, beef tongues, and the like, except hams, pork shoulder picnics, and similar products prepared for canning shall not exceed the weight of the fresh uncured article. Hams, pork shoulder picnics, and similar products prepared for canning shall be prepared to conform to the limitations provided in § 18.7 (n) of this subchapter in the case of ham for canning.

(50) The terms "Animal Fat" and "Meat Fat" may be used synonymously to identify rendered fats obtained from cattle, sheep, swine, or goats in the name of product and ingredient statement for such meat food products as shortening and uncolored oleomargarine. The terms "Animal Fat" or "Meat Fat" shall not be used to identify such well known single commodities as lard, rendered pork fat, oleo oil, oleo stearin, oleo stock and the like when prepared and packed as such.

(51) "Beef with Gravy" and "Gravy with Beef" shall not be made with beef which, in the aggregate for each lot contains more than 30 percent trimmable fat, that is, fat which can be removed by thorough practical trimming and sorting.

(52) The application of curing solution to beef briskets shall not result in an increase in the weight of the finished cured product of more than 20 percent over the weight of the fresh uncured briskets. The application of curing solution to other beef cuts, such as navels, clods, middle ribs, rumps and the like, which are intended for bulk corned beef shall not result in an increase in the weight of the finished cured product of more than 10 percent over the weight of the fresh uncured meat.

(53) Colored oleomargarine or colored margarine packed for retail sale shall be in containers not exceeding one-pound capacity.

(i) The word "oleomargarine" or "margarine" shall appear on each principal display panel of the container in type or lettering at least as large and in at least the same prominence as any other type or lettering appearing on such container.

(ii) A full and accurate statement of all the ingredients contained in such oleomargarine or margarine shall be prominently and informatively displayed contiguous to the word

“oleomargarine” or “margarine” wherever such word is featured on the container. The ingredients shall be shown by their common or usual name and be arranged in the order of their predominance. Collective terms such as “animal fat” and “vegetable fat” shall not be used but the specific fat, oil or stearin shall be shown.

(iii) Each part of the contents of the container shall be enclosed in a wrapper bearing the word “oleomargarine” or “margarine” in type or lettering not smaller than 20-point type.

(iv) Wrapped quarter-pound sticks or similar units of such oleomargarine or margarine packaged together in a container may constitute units for retail sale and they shall be individually wrapped and labeled in accordance with subdivisions (i), (ii), and (iii) of this subparagraph.

(54) The preparation of cooked cured product such as hams, pork shoulders, pork shoulder picnics, pork shoulder butts, and pork loins, either by moist or dry heat, shall not result in the finished cooked article weighing more than the fresh uncured product; that is, the weight of the finished cooked article plus the weight of the skin, bones, fat, and trimmings removed during the preparation shall not exceed the weight of the fresh uncured product.

(55) Product labeled “Pressed Ham,” and “Pressed Ham With Natural Juices,” may contain finely chopped ham shank meat to the extent of 25 percent over that normally present in the boneless ham. The weight of the cured chopped ham prior to processing shall not exceed the weight of the fresh uncured ham, exclusive of the bones and fat removed in the boning operations, plus the weight of the curing ingredients and 3 percent moisture.

(56) When approved proteolytic enzymes are used on steaks or other meat cuts which are frozen or cooked within the official establishment where they are produced, there shall appear on the labels of the frozen or cooked cuts, contiguous to the name of the products, a prominent descriptive statement such as “Dipped in a Solution of Papain,” to indicate the use of such enzymes.

**§ 17.9 Labeling product prepared with artificial coloring, artificial flavoring, antioxidants or preservatives.** Product which bears or contains any artificial coloring, artificial flavoring, antioxidants, or preservatives as permitted

under parts 1 through 29 of this subchapter shall bear labeling stating that fact.

(a) Artificial coloring of edible fats shall be declared on the label in a prominent manner and contiguous to the name of the product by the words "artificially colored."

(b) (1) When product is placed in casing to which artificial coloring is applied, as permitted under Parts 1 through 29 of this subchapter, there shall appear on the label, in a prominent manner and contiguous to the name of the product, the words "artificially colored."

(2) If the casing is removed from product at an official establishment and there is evidence of the artificial coloring on the surface of the product, there shall appear on the label in a prominent manner and contiguous to the name of the product, the words, "artificially colored."

(3) When the casing is colored prior to its use as a covering for product, the color shall be of a kind and so applied as not to be transferable to the product and not to be misleading or deceptive with respect to color, quality, or kind of product enclosed in the casing, and no reference to color need appear on the label.

(c) When any artificial flavoring is permitted to be added to product there shall appear on the label in prominent letters and contiguous to the name of the product the words "artificially flavored," and the ingredient statement shall identify it as an artificial flavoring.

(d) When an antioxidant is added to product as permitted under parts 1 through 29 of this subchapter there shall appear on the label in prominent letters and contiguous to the name of product, a statement showing that fact and the purpose for which it is added, such as, "oxygen interceptor added to improve stability", except as otherwise provided in Part 28 of this subchapter.

(e) Containers of meat packed in borax or other preservative for export to a foreign country which permits the use of such preservative shall, at the time of packing, be marked "for export," followed on the next line by the words "packed in preservative," or such equivalent statement as may be approved for this purpose by the director of division, and directly beneath this there shall appear the word "establishment" or abbreviation thereof, followed by the number of the establishment at which the product is packed. The com-



plete statement shall be applied in a conspicuous location and in letters not less than 1 inch in height.

**§ 17.10 Reuse of inspection marks; reuse of containers bearing marks of inspection, labels, etc.; requirements regarding.** (a) No inspection legend which has been previously used shall be used again for the identification of any product, except as provided for in paragraph (b) of this section.

(b) All stencils, marks, labels, or other devices on previously used containers, whether relating to any product or otherwise, shall be removed or obliterated before such containers are used for any product, unless such stencils, marks, labels, or devices correctly indicate the article to be packed therein and such containers are refilled under the supervision of a division employee.

**§ 17.11 Labeling, filling of containers, handling of labeled products to be only in compliance with regulations.**

(a) All labeling of product required to be inspected by division employees shall be in compliance with the regulations in Parts 1 through 29 of this subchapter.

(b) No person shall apply or affix, or cause to be applied or affixed, any label to any product prepared or received in an official establishment, or to any container thereof, except in compliance with the regulations in Parts 1 through 29 of this subchapter.

(c) No person shall, in an official establishment, fill or cause to be filled, in whole or in part, any container with any product required by the regulations in Parts 1 through 29 of this subchapter to bear a label, except in compliance with the regulations in this subchapter.

(d) No person shall remove or cause to be removed from an official establishment any product bearing a label unless such label be in compliance with the regulations in Parts 1 through 29 of this subchapter.

**§ 17.12 Relabeling product, requirements regarding.** When it is claimed by an official establishment that some of its labeled product which has been transported to a location other than an official establishment, is in need of relabeling on account of the labels having become mutilated or otherwise damaged, the requests for relabeling the product shall be sent to the director of division and accompanied with a statement of the reasons therefor. Labeling material intended for relabeling inspected and passed product shall not

be transported from an official establishment until permission has been received from the director of division. The relabeling of inspected and passed product with official labels shall be done under the supervision of an inspector of the division. The establishment shall reimburse the division, in accordance with regulations of the United States Department of Agriculture, for any cost involved in supervising the relabeling of such product.

**§ 17.13 Distribution of labels bearing an inspection legend.** Labels, wrappers, and cartons bearing an inspection legend with or without the establishment number may be transported from one official establishment to another: *Provided*, Such shipments are made with the permission and under the supervision of the inspector in charge at the station of origin, who will notify the inspector in charge at destination concerning the date of shipment of the labeling material and the character and quantity of the materials involved. No such material shall be used at the establishment to which it is shipped unless it conforms with the requirements of Parts 1 through 29 of this subchapter.

**§ 17.14 Rescindment of label approvals.** Once a year, or oftener if necessary, each official establishment should submit to the director of division, in quadruplicate, a list of approvals for labels that have become obsolete, accompanied with a statement that such approvals are no longer desired. The approvals shall be identified by the number, the date of approval, and the name of product or other designation showing the class of material.

## PART 18—REINSPECTION AND PREPARATION OF PRODUCTS

Sec.

- 18.1 Reinspection of products; frozen products.
- 18.2 Tagging products "U. S. retained" on reinspection; disposition thereof.
- 18.3 Unsound product bearing inspection mark found outside of official establishments.
- 18.4 Product entering official establishment; identification as inspected and passed; disposition; shipping in commerce.
- 18.5 Designation of places of receipt of returned products for reinspection.
- 18.6 Processes to be supervised; containers, equipment, processes of manufacture to be clean and sanitary; substances to be clean and wholesome.
- 18.7 Use in preparation of meat food products of chemicals, anti-toxidants, coloring matter, flavoring, water, ice, cereal, vegetable starch, nonfat dry milk, etc.

## Sec.

- 18.8 Preservatives permitted in meat food products for export; handling; such product not to be used for domestic food purposes.
- 18.9 Samples of products, water, dyes, chemicals, etc., to be taken for examination.
- 18.10 Prescribed treatment of pork and products containing pork to destroy trichinae.
- 18.11 Canning with heat processing and hermetically sealed containers; cleaning containers; closure; code marking; heat processing; incubation.
- 18.12 Preparation of dog food or similar uninspected article at official establishments; edible products department; inedible products department; denaturing.
- 18.13 Mixtures containing product but not amenable to Meat-Inspection Act.
- 18.14 Contamination of product by flood water, etc.; procedure for handling.
- 18.15 Glands and organs for use in preparing pharmaceutical, organo-therapeutic, or technical products.
- 18.16 Tagging chemicals, preservatives, cereals, spices, etc., "U. S. retained."
- 18.17 Product for educational uses, laboratory examination, and other purposes.

**§ 18.1 Reinspection of products; frozen products. (a)**

All products, whether fresh, cured, or otherwise prepared, even though previously inspected and passed, shall be re-inspected by division employees as often as may be necessary in order to ascertain whether they are sound, healthful, wholesome, and fit for human food at the time they leave official establishments. If upon reinspection any article is found to have become unsound, unhealthful, unwholesome, or in any way unfit for human food, the original marks, stamp, or label thereon shall be removed or defaced and the article condemned: *Provided, That:*

(1) If an article becomes soiled or unclean by falling on the floor or in any other accidental way, it may be cleaned (including trimming, if necessary) and presented for re-inspection.

(2) When an article is found to be affected by any unsound or unwholesome condition designated by the director of division as being capable of rehandling by approved methods for food purposes, the official establishment may be permitted to rehandle if necessary steps are immediately taken in a manner prescribed by him. Included are such conditions as articles found to have absorbed a foreign odor, to contain mold or similar substance, and rendered animal fats in which there is present tank water in first stages of sourness. If upon final

inspection the article is found to be sound and wholesome it shall be passed for human food; otherwise it shall be condemned.

(b) Care shall be taken to see that product is in good condition when placed in freezers. If there is doubt as to the soundness of any frozen product, the inspector will require the defrosting and reinspection of a sufficient quantity thereof to determine its actual condition.

(1) Product, such as pork tenderloins, brains, sweetbreads, stews, chop suey, etc., shall not be packed in hermetically sealed metal or glass containers, unless subsequently heat processed or otherwise treated to preserve the product in a manner approved by the director of division.

(2) Frozen product may be defrosted in water or pickle in a manner and with the use of facilities which are acceptable to the inspector in charge. Before such product is defrosted, a careful examination shall be made to determine its condition. If necessary, this examination shall include defrosting of representative samples by means other than in water or pickle.

(c) Attention should be given particularly to the first draw-off from the bottoms of tank cars where a tank-water-sour condition is sometimes found.

**§ 18.2 Tagging products "U. S. retained" on reinspection; disposition thereof.** A "U. S. retained" tag shall be placed by a division employee at the time of reinspection on all products or the containers thereof which are suspected on reinspection at an official establishment or in the possession of such establishment of being unsound, unhealthful, unwholesome, or in any way unfit for human food. The employee who affixes the tag shall record the tag number and the kind and amount of the article retained. Such tag shall accompany such article to the retaining room or other special place for final inspection. When the final inspection is made, if the article is condemned, the original mark, stamp, or label thereon shall be removed or defaced and the inspector shall stamp on or write across the face of the retained tag the phrase "U. S. inspected and condemned," and this tag shall accompany such article into the tank. The inspector shall make a complete record of the transaction and shall report his action to the inspector in charge. If, however, upon final inspection the article is passed for food, the inspector



shall remove the retained tag, record the transaction, and report his action to the inspector in charge.

**§ 18.3 Unsound product bearing inspection mark found outside of official establishments.** Division employees shall inform local representatives of the Food and Drug Administration, or responsible State or municipal officials, and report to the director of division regarding any product which bears, or the container of which bears, the inspection legend, discovered by them outside of official establishments, and which is unsound, unhealthful, unwholesome, or in any way unfit for human food.

**§ 18.4 Product entering official establishment; identification as inspected and passed; disposition; shipping in commerce.** (a) Except as provided in Part 12 of this subchapter, no product shall be brought into an official establishment unless it has been previously inspected and passed by a division employee, nor unless it can be identified by marks, seals, brands, or labels as having been so inspected and passed, nor, except as provided in Part 27 of this subchapter, if it has been processed elsewhere than in an official establishment. All products brought into an official establishment in compliance with the regulations in Parts 1 through 29 of this subchapter shall be identified and reinspected at the time of receipt, and be subjected to further reinspection in such manner and at such times as may be deemed necessary. If upon such reinspection any article is found to be unsound, unhealthful, unwholesome, or otherwise unfit for human food, the original mark, stamp, or label shall be removed or defaced and the article condemned.

(b) Any product which has been inspected and passed under the regulations in Parts 1 through 29 of this subchapter and which bears the inspection legend may be shipped in interstate or foreign commerce, provided it is sound, healthful, wholesome, and fit for human food and has not been processed, reprocessed, or changed elsewhere than in an official establishment in any manner so as to alter the character of the product.

**§ 18.5 Designation of places of receipt of returned products for reinspection.** Every official establishment shall designate, with the approval of the inspector in charge, a dock or place at which returned products shall be received, and such products shall be received only at such dock or place

and shall be inspected there by a division employee before further entering the establishment.

**§ 18.6 Processes to be supervised; containers, equipment, processes of manufacture to be clean and sanitary; substances to be clean and wholesome.** (a) All processes used in curing, pickling, rendering, canning, or otherwise preparing any product in official establishments shall be supervised by division employees. No fixtures or appliances, such as tables, trucks, trays, tanks, vats, machines, implements, cans, or containers of any kind, shall be used unless they are of such materials and construction as will not contaminate the product and are clean and sanitary. All steps in the processes of manufacture shall be conducted carefully and with strict cleanliness in rooms or compartments separate from those used for inedible products.

(1) All containers which are intended to be hermetically sealed shall be washed as required under § 18.11 immediately before filling, except that the hermetically sealed cans in which lard is shipped may be examined immediately before being filled and if found to be acceptably clean, need not be washed.

(2) Pumps, pipes, conductors, and fittings used to conduct milk, skim milk, cream, or mixtures of these in the manufacture of oleomargarine shall be of sanitary construction, with smooth inner and outer surfaces of noncorrosive material or coated with nickel, tin, or other approved material, readily demountable for cleaning, and shall be kept clean and sanitary.

(3) Equipment may be used interchangeably for the preparation of lard and rendered pork fat which are to be labeled as such. The director of division may grant permission for the restricted dual use of such equipment for the preparation of other products. The pipes and equipment used for edible fats shall be so arranged that the identity of the product will be maintained until the product is properly labeled.

(4) The only animal casings that may be used as containers of product are those from cattle, sheep, swine, or goats.

(5) Casings for products shall be carefully inspected by division employees. Only those casings which have been carefully washed and thoroughly flushed with clean water immediately before stuffing, are suitable for containers, are clean, and are passed on such inspection shall be used, except

that preflushed animal casings packed in salt or salt and glycerine solution or other approved medium may be used without additional flushing provided they are found to be clean and otherwise acceptable and are thoroughly rinsed before use.

(6) Beef rounds, beef bungs, beef middles, beef bladders, calf rounds, hog bungs, hog middles, and hog stomachs which are to be used as containers of meat food product shall be presented for inspection turned with the fat surface exposed.

(7) Portions of casings which show infestation with *Oesophagostomum* or other nodule-producing parasite, and weasands infested with the larvae of *Hypoderma lineatum*, shall be rejected, except that when the infestation is slight and the nodules and larvae are removed, the casing or weasand may be passed.

(8) The fermenting of intestines is not permitted in official establishments. The stripping and sliming of intestines shall be performed in a clean manner.

(9) Hog and sheep casings intended for use as containers of product may be treated by soaking in or applying thereto sound, fresh pineapple juice or a sound solution containing fresh pineapple juice or papain or bromelin or pancreatic extract to permit the enzymes contained in these substances to act on the casings to make them less resistant. The casings shall be handled in a clean and sanitary manner throughout and the treatment shall be followed by washing and flushing the casings with water sufficiently to effectively remove the substance used and terminate the enzymatic action.

(b) All substances and ingredients used in the manufacture or preparation of any product shall be clean, sound, healthful, wholesome, and otherwise fit for human food.

(1) On account of the invariable presence of bone splinters, detached spinal cords shall not be used in the preparation of edible product other than for rendering where they constitute a suitable raw material.

(2) Care shall be taken to remove bones and parts of bones from product which is intended for chopping.

(3) Heads for use in the preparation of meat food products shall be split and the bodies of the teeth, the turbinated and ethmoid bones, ear tubes, and horn butts removed, and the heads then thoroughly cleaned.

(4) Kidneys for use in the preparation of meat food products shall first be freely sectioned and then thoroughly soaked

and washed. All detached kidneys, including beef kidneys detached with kidney fat, shall be inspected before being used in or shipped from the establishment.

(5) Testicles if handled as an edible product may be shipped from the establishment as such, but they shall not be used as an ingredient of a meat food product.

(6) Cattle paunches and hog stomachs for use in the preparation of meat food products shall be thoroughly cleaned on all surfaces and parts immediately after being emptied of their contents, which shall follow promptly their removal from the carcasses.

(7) Tonsils shall be removed and shall not be used as ingredients of meat food products.

(8) Hog blood shall not be used as an ingredient of meat food product. No blood which comes in contact with the surface of the body of an animal or is otherwise contaminated shall be collected for food purposes. Only blood from animals the carcasses of which are inspected and passed may be used for meat food products. The defibrination of blood intended for food purposes shall not be performed with the hands.

(9) No prohibited dye, chemical, preservative, or other substance shall be brought into or kept in an official establishment for use as an ingredient of human food or animal feed.

(10) Intestines shall not be used as ingredients of meat food products.

(11) Clotted blood shall be removed from hog hearts before they are shipped from the establishment or used in the preparation of a meat food product.

**§ 18.7 Use in preparation of meat food products of chemicals, antioxidants, coloring matter, flavoring, water, ice, cereal, vegetable starch, nonfat dry milk, etc.** (a) No product shall contain any substance which impairs its wholesomeness or which is not approved by the director of division.

(b) There may be added to product, with appropriate declaration as required under Parts 16 and 17 of this subchapter, common salt, approved sugars (sucrose (cane or beet sugar), maple sugar, dextrose, invert sugar, honey, corn syrup solids, corn syrup and glucose syrup), wood smoke, vinegar, flavorings, spices, sodium nitrate, sodium nitrite, potassium nitrate (saltpetre) and potassium nitrite.



(c) Monoglycerides and diglycerides may be added to rendered animal fat or a combination of such fat and vegetable fat with appropriate declaration as required in Part 17 of this subchapter.

(d) With appropriate declaration, as provided in Part 17 of this subchapter, the following antioxidants may be added, in the amounts indicated, to rendered animal fat or a combination of such fat and vegetable fat:

(1) Resin guaiac not to exceed  $\frac{1}{10}$  of 1 percent; or

(2) Nordihydroguaiaretic acid not to exceed  $\frac{1}{100}$  of 1 percent; or

(3) Tocopherols not to exceed  $\frac{3}{100}$  of 1 percent. (A 30-percent concentration of tocopherols in vegetable oils shall be used when added as an antioxidant to products designated as "lard" or "rendered pork fat"); or

(4) Lecithin: *Provided*, That nothing in this paragraph shall prevent the use of this substance as an emulsifier as approved by the director of division; or

(5) Butylated hydroxyanisole (a mixture of 2-tertiary butyl 4-hydroxyanisole and 3-tertiary butyl 4-hydroxyanisole) not to exceed  $\frac{1}{100}$  of 1 percent; or

(6) Butylated hydroxytoluene (2,6 di-tertiary butyl paracresol) (2,6 di-tertiary butyl 4-methyl phenol) not to exceed  $\frac{1}{100}$  of 1 percent; or

(7) Propyl gallate not to exceed  $\frac{1}{100}$  of 1 percent; or

(8) Combinations of two or more of the antioxidants listed in subparagraphs (2), (5), (6) and (7) of this paragraph not to exceed  $\frac{2}{100}$  of 1 percent; or

(9) Citric acid and/or phosphoric acid and/or monoisopropyl citrate not to exceed  $\frac{1}{100}$  of 1 percent, either alone or in combination with the antioxidants listed in subparagraphs (2), (5), (6), (7), or (8) of this paragraph.

(e) To facilitate chopping and/or to dissolve the usual curing ingredients, water or ice may be used in the preparation of luncheon meat and meat loaf; however, the total amount of water used shall not exceed 3 percent of the ingredients going into the preparation of the product and its presence shall be declared as required under Parts 16 and 17 of this subchapter.

(f) Except as otherwise provided, sausage shall be prepared with meat, or meat and meat byproduct, seasoned with condimental proportions of condimental substances.

(g) Under appropriate declaration as required in Parts 16 and 17 of this subchapter, sausage may contain not more than  $3\frac{1}{2}$  percent, individually or collectively, of cereal, vegetable starch, starchy vegetable flour, soya flour, nonfat dry milk, or dried milk.

(h) For the purpose of facilitating chopping and mixing, and under appropriate declaration as required under Parts 16 and 17 of this subchapter, water or ice may be used in the preparation of sausage which is not cooked, in an amount not to exceed 3 percent of the total ingredients used. Sausage of the kind which is cooked, such as frankfurter, vienna, and bologna, may contain not more than 10 percent of added water or moisture.

(i) Bicarbonate of soda, caustic soda, sodium carbonate, diatomaceous earth, fuller's earth, carbon, acetic acid, tannic acid, agents used exclusively as catalyzers such as nickel preparations, and such other substances as may be approved by the director of division, may be used in the preparation of rendered fats: *Provided*, That they are eliminated during the process of manufacturing.

(j) Caustic soda, sodium carbonate (soda ash or sal soda), trisodium phosphate, or sodium metasilicate, or a combination of these substances, or lime, or a combination of lime and sodium carbonate, and/or a solution of hydrogen peroxide, may be used in the preparation of tripe: *Provided*, That immediately following the treatment the tripe is thoroughly washed with clear water and the added substances removed.

(k) The use of sodium nitrite, potassium nitrite, sodium nitrate, or potassium nitrate, or combinations of nitrite and nitrate, shall not result in the presence of more than 200 parts per million of nitrite in the finished product. Supplies of sodium nitrite and potassium nitrite and mixtures containing them must be kept securely under the care of a responsible employee of the establishment. The specific nitrite content of such supplies must be known and clearly marked accordingly. The maximum amounts of sodium nitrite and/or potassium nitrite which may be used are as follows:

(1) 2 pounds in 100 gallons of pickle.

(2) 1 ounce for each 100 pounds of meat in dry salt, dry cure, or box cure.

(3)  $\frac{1}{4}$  ounce in 100 pounds of chopped meat and/or meat byproducts.

(1) Harmless synthetic flavoring may be added to products for which they are approved by the director of division, and declared as "artificial flavoring," as required under Parts 16 and 17 of this subchapter.

(m) Coloring matter and dyes which are approved by the director of division when declared as required under Parts 16 and 17 of this subchapter may be mixed with rendered fats, applied to animal and artificial casings, and applied to such casings enclosing product: *Provided*, That there is no penetration of the coloring matter or dye into the product. The presence of a visible ring of dyed product appearing around the periphery of the cut surface is evidence of penetration: *And provided further*, That when coloring matter or dyes are added to meat fat shortening containing artificial flavoring, the product shall be packed in conventional, round, shortening containers having a capacity no greater than 3 lbs.

The following coloring matters and dyes are acceptable:

(1) The natural coloring matters alkanet, annatto, carotene, cochineal, green chlorophyl, saffron, and turmeric.

(2) Coal-tar dyes as follows, subject also to certification by the manufacturer and the furnishing of authoritative evidence to the inspector in charge that the dyes have been certified under the Federal Food, Drug, and Cosmetic Act for use in connection with foods:

<i>Name</i>	<i>Former name</i>
FD&C Blue No. 1-----	Brilliant Blue FCF.
FD&C Blue No. 2-----	Indigotine.
FD&C Green No. 1-----	Guinea Green B.
FD&C Green No. 2-----	Light Green SF Yellowish.
FD&C Green No. 3-----	Fast Green FCF.
FD&C Orange No. 1-----	Orange 1.
FD&C Orange No. 2-----	Orange SS.
FD&C Red No. 1-----	Ponceau 3R.
FD&C Red No. 2-----	Amaranth.
FD&C Red No. 3-----	Erythrosine.
FD&C Red No. 4-----	Ponceau SX.
FD&C Red No. 32-----	Oil Red XO.
FD&C Yellow No. 1-----	Naphthol Yellow S.
FD&C Yellow No. 2-----	Naphthol Yellow S—Potassium Salt.
FD&C Yellow No. 3-----	Yellow AB.
FD&C Yellow No. 4-----	Yellow OB.
FD&C Yellow No. 5-----	Tartrazine.
FD&C Yellow No. 6-----	Sunset Yellow FCF.

(3) Mixture of two or more dyes mentioned in subparagraphs (1) and (2), of this paragraph, or a mixture of one

or more of the dyes with harmless inert materials, such as common salt or sugar.

(n) The preparation of a ham for canning shall not result in an increase in weight of more than 8 percent over the weight of the fresh uncured ham; that is, the weight of the boneless cured ham at the time of canning, plus the weight of the skin, bones, fat, and trimmings removed from the ham, shall not exceed 108 percent of the weight of the fresh uncured ham.

(o) For the purpose of preventing coagulation citric acid or sodium citrate with or without water, may be added to fresh beef blood in an amount not to exceed  $\frac{2}{10}$  of 1 percent of the total mixture. When water is used to make a solution of the citric acid or sodium citrate added to the beef blood, not more than two parts of water to one part of citric acid or sodium citrate shall be used.

(p) Harmless bacterial starters of the acidophilus type may be used in the preparation of such kinds of sausage as thuringer, lebanon bologna, cervelat, salami and pork roll in an amount not to exceed  $\frac{1}{2}$  of 1 percent. When used, the harmless bacterial starter shall be included in the list of ingredients in the order of its predominance as required by Parts 16 and 17 of this subchapter.

(q) Corn syrup solids, corn syrup, or glucose syrup shall not be used individually or collectively in an amount exceeding 2 percent (calculated on a dry basis) of all of the ingredients used in preparing such meat food products as sausage, hamburger, meat loaf, luncheon meat, chopped ham, or pressed ham.

(r) Disodium phosphate, sodium hexametaphosphate, sodium tripolyphosphate, sodium pyrophosphate, and sodium acid pyrophosphate, may be added to the pumping pickle for cured hams and pork shoulder picnics and may be used in the preparation of canned chopped ham, provided such use shall not result in more than  $\frac{1}{2}$  of 1 percent of added phosphate in the finished product and provided that the maximum amount of such phosphate which may be so used is as follows:

(1) Pumping pickle shall not contain more than 5 percent of such phosphate. When dissolved in pumping pickle, a small quantity of a crystalline precipitate material may be formed. Such pickle shall be filtered or the precipitate



allowed to settle so that only the clear solution is injected into product.

(2) With appropriate declaration as required under Parts 16 and 17 of this subchapter, such phosphate may be used in the preparation of canned chopped ham in an amount not to exceed 8 ounces for each 100 pounds of the fresh incured comminuted ham.

(s) Ascorbic acid or sodium ascorbate may be used in the preparation of cured pork and beef products and comminuted meat food products as follows:

(1) Pickle used for pumping, curing, or packing pork and beef products shall not contain more than  $7\frac{1}{2}$  ounces of ascorbic acid or sodium ascorbate to each 100 gallons of pickle.

(2) With appropriate declaration as required under Parts 16 and 17 of this subchapter, ascorbic acid or sodium ascorbate may be used in the preparation of cooked, cured, comminuted meat food products in amounts not to exceed  $\frac{3}{4}$  ounce of ascorbic acid or  $\frac{7}{8}$  ounce of sodium ascorbate for each 100 pounds fresh meat or meat food product. A solution containing not more than 5 percent ascorbic acid or sodium ascorbate in water or brine may be applied to the outer surface of sliced or unsliced cured pork and beef products and comminuted meat food products prior to packaging. The use of such solution shall not result in the addition of a significant amount of moisture to the product.

(t) With appropriate declaration as required under Parts 16 and 17 of this subchapter, not more than  $\frac{3}{1000}$  of 1 percent of butylated hydroxyanisole and  $\frac{1}{1000}$  of 1 percent of citric acid may be used in unsmoked dry sausage which is held during preparation in a drying room for purposes of trichinae treatment for the periods prescribed in this subchapter.

**§ 18.8 Preservatives permitted in meat food products for export; handling; such product not to be used for domestic food purposes.** (a) When no substance is used in the preparation or packing of products for export which, either in kind or in proportion, conflicts with the laws of the foreign country to which such products are to be exported, and the foreign purchaser so directs in writing, products for export to such foreign country may contain preservatives in accordance with such direction. Such products shall be prepared and packed in compartments of the estab-

lishment separate and apart from the compartments in which any product is prepared or packed for domestic use or consumption, except as permitted by paragraphs (b) and (i) of this section and shall be kept separate.

(b) The packing of articles which are prepared, as provided for in paragraph (a) of this section, with any preservatives not permitted by § 18.7 may be done in the regular packing room, provided no other product be allowed in the packing room during the time of such packing, except as provided in paragraph (i) of this section. After the packing is completed, the packing room shall be thoroughly cleansed of the preservative before the packing of other articles therein is resumed. A separate room or compartment constructed of tight partitions or walls shall be set apart for storing the preservatives, trays, and other appliances used in connection with the packing. This room or compartment shall be held under a lock furnished by the Department, the key of which shall not leave the custody of a division employee.

(c) The packing of all articles under paragraphs (a) and (b) of this section shall be conducted under the personal supervision of a division employee.

(d) No article prepared or packed for export under paragraph (a) or (b) shall be sold or offered for sale for domestic use or consumption, but unless exported shall be destroyed for food purposes under the personal supervision of a division employee.

(e) The contents of the container of any article prepared or packed for export under paragraph (a) or (b) of this section shall not be removed, in whole or in part, prior to exportation, except under the supervision of a division employee. If such contents be removed prior to exportation, then the article shall be either repacked in accordance with the provisions of paragraph (a) or (b) and paragraph (c) of this section, or destroyed for food purposes under the personal supervision of a division employee.

(f) Permission must be obtained from the director of division before meats packed in borax are shipped from one official establishment to another or to an unofficial establishment for storage, except such meat prepared for the account of Federal agencies.

(g) At all times, the identity of meat to which borax has been added shall be effectively maintained. In no case shall

such meat, nor any trimmings or fat derived from such meat, whether unwashed or washed, or otherwise treated, be diverted to domestic use.

(h) Salt used for bulking meat previously packed in borax may not again be used in an edible products department other than in connection with the packing of meat in borax. If available, only metal equipment should be used for handling such meat. Particularly effective cleansing will be required if wooden equipment, such as trucks, washing vats, etc., is used. Boxes from which boraxed meat has been removed may be used for repacking meat in borax, but their use as containers for other meat will be dependent upon the effective removal of all traces of borax.

(i) The following instructions pertain to export cured pork packed in borax for the account of Federal agencies:

(1) The meat may be packed in borax in a room in which there is borax-free meat: *Provided*, Proper care is taken to see that the borax-free meat is not affected by the borax. Under the same condition meat packed in borax may be received, unpacked, defrosted, soaked, washed, smoked, and repacked in a room where there is other meat. However, meat originally packed in borax shall at all times be subject to the restrictions of meat so packed, even though repacked without borax. After packing or repacking, borax meat may be stored in a room with meat not packed in borax: *Provided*, A reasonable degree of separation is maintained between the two classes of product.

**§18.9 Samples of products, water, dyes, chemicals, etc., to be taken for examination.** Samples of products, water, dyes, chemicals, preservatives, spices, or other articles in any official or exempted establishment shall be taken, without cost to the division, for examination, as often as may be deemed necessary for the efficient conduct of the inspection.

**§18.10 Prescribed treatment of pork and products containing pork to destroy trichinae.** (a) All forms of fresh pork, including fresh unsmoked sausage containing pork muscle tissue, and pork such as bacon and jowls, other than those covered by paragraph (b) of this section, are classed as products that are customarily well cooked in the home or elsewhere before being served to the consumer. Therefore, the treatment of such products for the destruction of trichinae is not required.

(b) Products named in this paragraph, and products of the character thereof, containing pork muscle tissue (including hearts, pork stomachs and pork livers), or the pork muscle tissue which forms an ingredient of such products, shall be effectively heated, refrigerated, or cured at a federally inspected establishment to destroy any possible live trichinae: bologna; frankfurts; viennas; smoked sausage; knoblauch sausage; mortadella; all forms of summer or dried sausage, including mettwurst; cooked loaves; roasted, baked, boiled, or cooked hams, pork shoulders, or pork shoulder picnics; Italian-style hams; Westphalia-style hams; smoked boneless pork shoulder butts; cured meat rolls; capocollo (capicola, capicola); coppa; fresh or cured boneless pork shoulder butts, hams, loins, shoulders, shoulder picnics, and similar pork cuts, in casings or other containers in which ready-to-eat delicatessen articles are customarily enclosed (excepting Scotch-style hams); frozen breaded pork products over  $\frac{1}{2}$  inch in thickness; cured boneless pork loins; boneless back bacon; smoked pork cuts such as hams, shoulders, loins and pork shoulder picnics (excepting smoked hams and smoked pork shoulder picnics which are specially prepared for distribution in tropical climates or smoked hams delivered to the Armed Services). Cured boneless pork loins shall be subjected to prescribed treatment for destruction of trichinae prior to being shipped from the establishment where cured.

(c) The treatment shall consist of heating, refrigerating, or curing, as follows:

(1) *Heating.* All parts of the pork muscle tissue shall be heated to a temperature not lower than 137° F., and the method used shall be one known to insure such a result. On account of differences in methods of heating and in weights of products undergoing treatment it is impracticable to specify details of procedures for all cases.

Procedures which insure the proper heating of all parts of the product shall be adopted. It is important that each piece of sausage, each ham, and other product treated by heating in water be kept entirely submerged throughout the heating period; and that the largest pieces in a lot, the innermost links of bunched sausage or other massed articles, and pieces placed in the coolest part of a heating cabinet or compartment or vat be included in the temperature tests.



(2) *Refrigerating.* At any stage of preparation and after preparatory chilling to a temperature of not above 40° F. or preparatory freezing, all parts of the muscle tissue of pork or product containing such tissue shall be subjected continuously to a temperature not higher than one of those specified in table 1, the duration of such refrigeration at the specified temperature being dependent on the thickness of the meat or inside dimensions of the container.

TABLE 1.—*Required period of freezing at temperature indicated*

Temperature	Group 1	Group 2
° F.	<i>Days</i>	<i>Days</i>
5	20	30
—10	10	20
—20	6	12

Group 1 comprises product in separate pieces not exceeding 6 inches in thickness, or arranged on separate racks with the layers not exceeding 6 inches in depth, or stored in crates or boxes not exceeding 6 inches in depth, or stored as solidly frozen blocks not exceeding 6 inches in thickness.

Group 2 comprises product in pieces, layers, or within containers, the thickness of which exceeds 6 inches but not 27 inches, and product in containers including tierces, barrels, kegs, and cartons having a thickness not exceeding 27 inches.

The product undergoing such refrigeration or the containers thereof shall be so spaced while in the freezer as will insure a free circulation of air between the pieces of meat, layers, blocks, boxes, barrels, and tierces in order that the temperature of the meat throughout will be promptly reduced to not higher than 5° F., —10° F., or —20° F., as the case may be.

During the period of refrigeration the product shall be kept separate from other products and in the custody of the division. Rooms or compartments equipped for being made secure with division lock or seal shall be provided. The rooms or compartments containing product undergoing freezing shall be equipped with accurate thermometers placed at or above the highest level at which the product undergoing treatment is stored and away from refrigerated coils. After completion of the prescribed freezing of pork to be used in the preparation of product covered by para-

graph (b) of this section, the pork shall be kept under close supervision of an inspector until it is prepared in finished form as one of the products enumerated in paragraph (b) of this section, or until it is transferred under division control to another establishment for preparation in such finished form.

Pork which has been refrigerated as specified in this subparagraph may be transferred in sealed railroad cars, sealed motor trucks, sealed trailers, or sealed closed containers to another official establishment at the same or another station, for use in the preparation of product covered by paragraph (b) of this section. The sealing of closed containers, such as boxes and slack barrels, shall be effected by cording and affixing thereto division seals, and such containers as tierces and kegs shall be held in division custody by sealing with wax impressed with a division metal brand. Railroad cars, motortrucks, and trailers shall, when necessary, be sealed with division car seals. Properly sealed and marked closed containers may be shipped with other meat in unsealed railroad cars, motortrucks, and trailers. Containers such as boxes, barrels and tierces shall be plainly and conspicuously marked with a label or stencil furnished by the establishment, as follows: "Pork product -- degrees F. -- days' refrigeration," indicating the temperature at which the product was refrigerated and the length of time so treated. For each consignment there shall be promptly issued and forwarded to the inspector in charge at destination a report on the form entitled "Notice of Unmarked Meats Shipped In Sealed Cars," appropriately modified to show the character of the containers, and that the contents are "Pork product -- degrees F. -- days' refrigeration." A duplicate copy shall be retained in the station file.

(3) *Curing*—(i) *Sausage*. Sausage may be stuffed in animal casings, hydrocellulose casings, or cloth bags. During any stage of treating the sausage for the destruction of live trichinae, except as provided in method 5, these coverings shall not be coated with paraffin or like substance, nor shall any sausage be washed during any prescribed period of drying. In the preparation of sausage, one of the following methods may be used:

*Method No. 1.* The meat shall be ground or chopped into pieces not exceeding three-fourths of an inch in diameter. A dry-curing mixture containing not less than  $3\frac{1}{3}$  pounds of

salt to each hundredweight of the unstuffed sausage shall be thoroughly mixed with the ground or chopped meat. After being stuffed, sausage having a diameter not exceeding  $3\frac{1}{2}$  inches, measured at the time of stuffing, shall be held in a drying room not less than 20 days at a temperature not lower than  $45^{\circ}$  F., except that in sausage of the variety known as pepperoni, if in casings not exceeding  $1\frac{3}{8}$  inches in diameter measured at the time of stuffing, the period of drying may be reduced to 15 days. In no case, however, shall the sausage be released from the drying room in less than 25 days from the time the curing materials are added, except that sausage of the variety known as pepperoni, if in casings not exceeding the size specified, may be released at the expiration of 20 days from the time the curing materials are added. Sausage in casings exceeding  $3\frac{1}{2}$  inches, but not exceeding 4 inches, in diameter at the time of stuffing, shall be held in a drying room not less than 35 days at a temperature not lower than  $45^{\circ}$  F., and in no case shall the sausage be released from the drying room in less than 40 days from the time the curing materials are added to the meat.

*Method No. 2.* The meat shall be ground or chopped into pieces not exceeding three-fourths of an inch in diameter. A dry-curing mixture containing not less than  $3\frac{1}{3}$  pounds of salt to each hundredweight of the unstuffed sausage shall be thoroughly mixed with the ground or chopped meat. After being stuffed, the sausage having a diameter not exceeding  $3\frac{1}{2}$  inches, measured at the time of stuffing, shall be smoked not less than 40 hours at a temperature not lower than  $80^{\circ}$  F., and finally held in a drying room not less than 10 days at a temperature not lower than  $45^{\circ}$  F. In no case, however, shall the sausage be released from the drying room in less than 18 days from the time the curing materials are added to the meat. Sausage exceeding  $3\frac{1}{2}$  inches, but not exceeding 4 inches, in diameter at the time of stuffing, shall be held in a drying room, following smoking as above indicated, not less than 25 days at a temperature not lower than  $45^{\circ}$  F., and in no case shall the sausage be released from the drying room in less than 33 days from the time the curing materials are added to the meat.

*Method No. 3.* The meat shall be ground or chopped into pieces not exceeding three-fourths of an inch in diameter. A dry-curing mixture containing not less than  $3\frac{1}{3}$  pounds of salt to each hundredweight of the unstuffed sausage shall be

thoroughly mixed with the ground or chopped meat. After admixture with the salt and other curing-materials and before stuffing, the ground or chopped meat shall be held at a temperature not lower than  $34^{\circ}$  F. for not less than 36 hours. After being stuffed the sausage shall be held at a temperature not lower than  $34^{\circ}$  F. for an additional period of time sufficient to make a total of not less than 144 hours from the time the curing materials are added to the meat, or the sausage shall be held for the time specified in a pickle-curing medium of not less than  $50^{\circ}$  strength (salometer reading) at a temperature not lower than  $44^{\circ}$  F. Finally, the sausage having a diameter not exceeding  $3\frac{1}{2}$  inches, measured at the time of stuffing, shall be smoked for not less than 12 hours. The temperature of the smokehouse during this period at no time shall be lower than  $90^{\circ}$  F.; and for 4 consecutive hours of this period the smokehouse shall be maintained at a temperature not lower than  $128^{\circ}$  F. Sausage exceeding  $3\frac{1}{2}$  inches, but not exceeding 4 inches, in diameter at the time of stuffing shall be smoked, following the prescribed curing, for not less than 15 hours. The temperature of the smokehouse during the 15-hour period shall at no time be lower than  $90^{\circ}$  F., and for 7 consecutive hours of this period the smokehouse shall be maintained at a temperature not lower than  $128^{\circ}$  F. In regulating the temperature of the smokehouse for the treatment of sausage under this method, the temperature of  $128^{\circ}$  F. shall be attained gradually during a period of not less than 4 hours.

*Method No. 4.* The meat shall be ground or chopped into pieces not exceeding one-fourth of an inch in diameter. A dry-curing mixture containing not less than  $2\frac{1}{2}$  pounds of salt to each hundredweight of the unstuffed sausage shall be thoroughly mixed with the ground or chopped meat. After admixture with the salt and other curing materials and before stuffing, the ground or chopped sausage shall be held as a compact mass, not more than 6 inches in depth, at a temperature not lower than  $36^{\circ}$  F. for not less than 10 days. At the termination of the holding period, the sausage shall be stuffed in casings or cloth bags not exceeding  $3\frac{1}{2}$  inches in diameter, measured at the time of stuffing. After being stuffed, the sausage shall be held in a drying room at a temperature not lower than  $45^{\circ}$  F. for the remainder of a 35-day period, measured from the time the curing materials are added to the meat. At any time after stuffing, if a concern



deems it desirable, the product may be heated in a water bath for a period not to exceed 3 hours at a temperature not lower than 85° F., or subjected to smoking at a temperature not lower than 80° F., or the product may be both heated and smoked as specified. The time consumed in heating and smoking, however, shall be in addition to the 35-day holding period specified.

*Method No. 5.* The meat shall be ground or chopped into pieces not exceeding three-fourths of an inch in diameter. A dry-curing mixture containing not less than  $3\frac{1}{3}$  pounds of salt to each hundredweight of the unstuffed sausage shall be thoroughly mixed with the ground or chopped meat. After being stuffed the sausage shall be held for not less than 65 days at a temperature not lower than 45° F. The coverings for sausage prepared according to this method may be coated at any stage of the preparation before or during the holding period with paraffin or other substance approved by the director of division.

(ii) *Capocollo (capicola, capacolo).* Boneless pork butts for capocollo shall be cured in a dry-curing mixture containing not less than  $4\frac{1}{2}$  pounds of salt per hundredweight of meat for a period of not less than 25 days at a temperature not lower than 36° F. If the curing materials are applied to the butts by the process known as churning, a small quantity of pickle may be added. During the curing period the butts may be overhauled according to any of the usual processes of overhauling, including the addition of pickle or dry salt if desired. The butts shall not be subjected during or after curing to any treatment designed to remove salt from the meat, except that superficial washing may be allowed. After being stuffed, the product shall be smoked for a period of not less than 30 hours at a temperature not lower than 80° F., and shall finally be held in a drying room not less than 20 days at a temperature not lower than 45° F.

(iii) *Coppa.* Boneless pork butts for coppa shall be cured in a dry-curing mixture containing not less than  $4\frac{1}{2}$  pounds of salt per hundredweight of meat for a period of not less than 18 days at a temperature not lower than 36° F. If the curing mixture is applied to the butts by the process known as churning, a small quantity of pickle may be added. During the curing period the butts may be overhauled according to any of the usual processes of overhauling, including the

addition of pickle or dry salt if desired. The butts shall not be subjected during or after curing to any treatment designed to remove salt from the meat, except that superficial washing may be allowed. After being stuffed, the product shall be held in a drying room not less than 35 days at a temperature not lower than 45° F.

(iv) *Hams*. In the curing of hams either of the following methods may be used:

*Method No. 1.* The hams shall be cured by a dry-salt curing process not less than 40 days at a temperature not lower than 36° F. The hams shall be laid down in salt, not less than 4 pounds to each hundredweight of hams, the salt being applied in a thorough manner to the lean meat of each ham. When placed in cure the hams may be pumped with pickle if desired. At least once during the curing process the hams shall be overhauled and additional salt applied, if necessary, so that the lean meat of each ham is thoroughly covered. After removal from cure the hams may be soaked in water at a temperature not higher than 70° F. for not more than 15 hours, during which time the water may be changed once; but they shall not be subjected to any other treatment designed to remove salt from the meat, except that superficial washing may be allowed. The hams shall finally be dried or smoked not less than 10 days at a temperature not lower than 95° F.

*Method No. 2.* The hams shall be cured by a dry-salt curing process at a temperature not lower than 36° F. for a period of not less than 3 days for each pound of weight (green) of the individual hams. The time of cure of each lot of hams placed in cure should be calculated on a basis of the weight of the heaviest ham of the lot. Hams cured by this method, before they are placed in cure, shall be pumped with pickle solution of not less than 100° strength (salometer), about 4 ounces of the solution being injected into the shank and a like quantity along the flank side of the body bone (femur). The hams shall be laid down in salt, not less than 4 pounds of salt to each hundredweight of hams, the salt being applied in a thorough manner to the lean meat of each ham. At least once during the curing process the hams shall be overhauled and additional salt applied, if necessary, so that the lean meat of each ham is thoroughly covered. After removal from the cure the hams may be soaked in water at a temperature not higher than 70° F. for not more than 4

hours, but shall not be subjected to any other treatment designed to remove salt from the meat, except that superficial washing may be allowed. The hams shall then be dried or smoked not less than 48 hours at a temperature not lower than 80° F., and finally shall be held in a drying room not less than 20 days at a temperature not lower than 45° F.

(v) *Boneless pork loins and loin ends.* In lieu of heating or refrigerating to destroy trichinae in boneless loins, the loins shall be cured for a period of not less than 25 days at a temperature not lower than 36° F. by the use of one of the following methods:

*Method No. 1.* A dry-salt curing mixture containing not less than 5 pounds of salt to each hundredweight of meat.

*Method No. 2.* A pickle solution of not less than 80° strength (salometer) on the basis of not less than 60 pounds of pickle to each hundredweight of meat.

*Method No. 3.* A pickle solution added to the approved dry-salt cure provided the pickle solution is not less than 80° strength (salometer).

After removal from cure, the loins may be soaked in water for not more than 1 hour at a temperature not higher than 70° F. or washed under a spray but shall not be subjected, during or after the curing process, to any other treatment designed to remove salt.

Following curing, the loins shall be smoked for not less than 12 hours. The minimum temperature of the smokehouse during this period at no time shall be lower than 100° F., and for 4 consecutive hours of this period the smokehouse shall be maintained at a temperature not lower than 125° F.

Finally, the product shall be held in a drying room for a period of not less than 12 days at a temperature not lower than 45° F.

(d) *General instructions.* When necessary to comply with these instructions, the smokehouses, drying rooms, and other compartments used in the treatment of pork to destroy trichinae shall be suitably equipped, by the establishment, with accurate automatic recording thermometers. Inspectors in charge are authorized to approve for use in sausage smokehouses, drying rooms, and other compartments, such automatic recording thermometers as are found to give satisfactory service.

To insure the effective administration of the foregoing,

inspectors who supervise the handling and treatment of pork to destroy live trichinae shall:

(1) Recognize the importance of safeguarding the consumer and follow carefully the instructions concerning the treatment of pork to destroy trichinae.

(2) Check the internal temperatures, with division thermometers, of all products subjected to the heating method.

(3) Test frequently, with division thermometers, the reliability of establishment thermometers (including automatic recording thermometers) and reject for use any found to be inaccurate and unreliable.

(4) Observe division thermometers carefully in order that none be used which have become defective or of questionable accuracy.

(5) Supervise in a methodical manner the handling, in drying, refrigerating, and curing departments, of pork product under treatment for the destruction of live trichinae, and keep conveniently available, at the official establishment for division use, such records as may be necessary and informative of each lot of product under treatment.

(e) The requirements of this section to destroy possible live trichinae in the products of a kind enumerated in paragraph (b) of this section apply to products which are exempted from inspection.

**§ 18.11 Canning with heat processing and hermetically sealed containers; cleaning containers; closure; code marking; heat processing; incubation.** (a) Containers shall be cleaned thoroughly immediately before filling, and precaution must be taken to avoid soiling the inner surfaces subsequently.

(b) Containers of metal, glass, or other material shall be washed in an inverted position with running water at a temperature of at least 180° F. The container-washing equipment shall be provided with a thermometer to register the temperature of the water used for cleaning the containers.

(c) Nothing less than perfect closure is acceptable for hermetically sealed containers. Heat processing shall follow promptly after closing.

(d) Careful inspection shall be made of the containers by competent establishment employees immediately after closing, and containers which are defectively filled, defectively closed, or those showing inadequate vacuum, shall not be processed until the defect has been corrected. The containers



shall again be inspected by establishment employees when they have cooled sufficiently for handling after processing by heating. The contents of defective containers shall be condemned unless correction of the defect is accomplished within 6 hours following the sealing of the containers or completion of the heat processing, as the case may be, except that (1) if the defective condition is discovered during an afternoon run the cans of product may be held in coolers at a temperature not exceeding 38° F. under conditions that will promptly and effectively chill them until the following day when the defect may be corrected; (2) short vacuum or overstuffed cans of product which have not been handled in accordance with the above may be incubated under division supervision, after which the cans shall be opened and the sound product passed for food; and (3) short vacuum or overstuffed cans of product of a class permitted to be labeled, "Perishable, keep under refrigeration" and which have been kept under adequate refrigeration since processing may be opened and the sound product passed for food.

(e) Canned products shall not be passed unless after cooling to atmospheric temperature they show the external characteristics of sound cans; that is, the cans shall not be over-filled; they shall have concave sides, excepting the seam side, and all ends shall be concave; there shall be no bulging; the sides and ends shall conform to the product; and there shall be no slack or loose tin.

(f) All canned products shall be plainly and permanently marked on the containers by code or otherwise with the identity of the contents and date of canning. The code used and its meaning shall be on record in the office of the inspector in charge.

(g) Canned product must be processed at such temperature and for such period of time as will assure keeping without refrigeration under usual conditions of storage and transportation when heating is relied on for preservation, with the exception of those canned products which are processed without steam-pressure cooking by permission of the director of division and labeled "Perishable, keep under refrigeration."

(h) Lots of canned product shall be identified during their handling preparatory to heat processing by tagging the baskets, cages, or cans with a tag which will change color on going through the heat processing or by other effective means

so as to positively preclude failure to heat process after closing.

(j) Facilities shall be provided to incubate at least representative samples of the product of fully processed canned product. The incubation shall consist of holding the canned product for at least 10 days at about 98° F.

The extent to which incubation tests shall be required depends on conditions such as the record of the establishment in conducting canning operations, the extent to which the establishment furnishes competent supervision and inspection in connection with the canning operations, the character of the equipment used, and the degree to which such equipment is maintained at maximum efficiency. Such factors shall be considered by the inspector in charge in determining the extent of incubation testing at a particular establishment.

In the event of failure by an establishment to provide suitable facilities for incubation of test samples, the inspector in charge may require holding of the entire lot under such conditions and for such period of time as may, in his discretion, be necessary to establish the stability of the product.

The inspector in charge may permit lots of canned product to be shipped from the establishment prior to completion of sample incubation when he has no reason to suspect unsoundness in the particular lots, and under circumstances which will assure the return of the product to the establishment for reinspection should such action be indicated by the incubation results.

**§ 18.12 Preparation of dog food or similar uninspected article at official establishments; edible products department; inedible products department; denaturing.** (a) When dog food or similar uninspected article is prepared in an edible product department, there shall be sufficient space allotted and adequate equipment provided so that the preparation of the uninspected article in no way interferes with the handling or preparation of products. Where necessary, separate equipment shall be provided for the uninspected article. To assure the maintenance of sanitary conditions in the edible product departments, the operations incident to the preparation of the uninspected article will be subject to the same sanitary requirements that apply to all operations in edible product departments. The preparation of the uninspected article shall be limited to those hours during which the establishment generally operates under inspectional su-

pervision. That is, there shall be no handling, other than receiving at the establishment, of any of the meat, meat by-products, or meat food product ingredient of the uninspected article, other than during the regular hours of inspection. The materials used in the preparation of the uninspected article shall not be such as would interfere with the inspection of product or the maintenance of sanitary conditions in the department. The uninspected article may be stored in, and distributed from, edible product department: *Provided*, That adequate facilities are furnished, that there is no interference with the maintenance of sanitary conditions, and that it is properly identified.

(b) When dog food or similar uninspected article is prepared in a part of an official establishment other than an edible product department, the area in which the dog food is prepared shall be separated from edible product departments in a manner similar to that required for separation between edible product departments and inedible product departments. Sufficient space must be allotted and adequate equipment provided so that the preparation of the uninspected article does not interfere with the proper functioning of the other operations at the establishment. Nothing in this paragraph shall be construed as permitting any deviation from the requirement that inedible materials, dead animals, and the like, of whatever origin, must be placed in the inedible product rendering equipment, and without undue delay. The preparation of the uninspected product must be such as not to interfere with the maintenance of general sanitary conditions on the premises, and it shall be subject to inspectional supervision similar to that exercised over inedible product departments. There shall be no return of any product to edible product departments. Trucks, barrels, and other equipment shall be cleaned before being returned to edible product departments from inedible product departments. Unoffensive material prepared outside edible product departments may be stored in, and distributed from, edible product departments only if packaged in clean, properly identified, sealed containers.

(c) Dog food or other animal food prepared, in whole or in part, from materials derived from cattle, sheep, swine, goats, or horses, shall be distinguished from articles of human food, so as to avoid the distribution of such animal food as human food. To accomplish this, labeling of hermeti-

cally sealed, retort processed, conventional retail size containers, as, for example, "dog food" will be considered sufficient. If not in such containers the product must not only be properly identified, but it must be of such character or so treated (denatured or decharacterized) as to be readily distinguishable from an article of human food. Dog food shall not be represented as being a human food.

**§ 18.13 Mixtures containing product but not amenable to Meat Inspection Act.** Mixtures containing product but not classed as coming under the Meat Inspection Act shall not bear the inspection legend or any abbreviation or representation thereof. When such article is prepared in any part of an official establishment, the sanitation of that part of the establishment shall be supervised by division employees and the preparation of such articles shall not cause any deviation from the requirement that no uninspected product be brought into the establishment.

**§ 18.14 Contamination of product by flood water, etc.; procedure for handling.** (a) Any product which has been contaminated by flood water, harbor water, or like polluted water, shall be condemned.

(b) After flood water has receded, the establishment shall, under the supervision of a division employee, thoroughly cleanse all walls, ceilings, posts, and floors of the rooms and compartments involved, including the equipment therein. An adequate supply of hot water, under pressure, is essential for effective cleansing of the rooms and equipment. After cleansing, a solution of sodium hypochlorite containing approximately one-half of 1 percent available chlorine (5,000 parts per million), or other disinfectant approved by the director of division should be applied to the surface of the rooms. Where the solution has been applied to equipment which will afterwards contact meat, the equipment shall be rinsed with clean water before being used. All metal should be rinsed with clean water to prevent corrosion.

(c) Hermetically sealed containers of product which has been submerged or otherwise contaminated as in paragraph (a) of this section shall be rehandled promptly under supervision of a division employee as follows:

(1) Separate and condemn all product the containers of which show extensive rusting or corrosion, such as might materially weaken the container, as well as any swollen, leaky, or otherwise suspicious container.



(2) Remove paper labels and wash the containers in warm soapy water, using a brush where necessary to remove rust or other foreign material, immerse in a solution of sodium hypochlorite containing not less than 100 parts per million of available chlorine or other disinfectant approved specifically for this purpose by the director of division, and rinse in clean fresh water and dry thoroughly.

(3) After handling as in subparagraph (2) of this paragraph, the containers may be relacquered, if necessary, and then relabeled with approved labels applicable to the product therein.

(4) The identity of the canned product shall be maintained throughout all stages of the rehandling operations, to insure correct labeling of the containers.

**§ 18.15 Glands and organs for use in preparing pharmaceutical, organotherapeutic, or technical products.**

(a) (1) Glands and organs which are not used as food products, such as cotyledons, ovaries, prostate glands, tonsils, spinal cords, and detached lymphatic, pineal, pituitary, parathyroid, suprarenal, and thyroid glands, may be shipped interstate either by establishments operating under inspection or by those which do not operate under inspection: *Provided*, That the containers shall be plainly marked "For pharmaceutical purposes," "For organotherapeutic purposes," or "For technical purposes," without any reference to inspection.

(2) Organs in this category may be brought into and stored in edible product departments of inspected establishments or shipped with edible product if packaged in suitable containers which will in no way interfere with the maintenance of sanitary conditions or constitute an interference with inspection.

(b) Glands or organs which are regarded as food products, such as pancreatic glands, livers, testicles, and thymus, may be shipped interstate or brought into official establishments for pharmaceutical, organotherapeutic, or technical purposes, only if U. S. inspected and passed and so identified.

**§ 18.16 Tagging chemicals, preservatives, cereals, spices, etc., "U. S. retained."** When any chemical, preservative, cereal, spice, or other substance is presented for use in an official establishment, it shall be examined by a division employee, and if found to be unfit or otherwise unacceptable for the use intended, or if final decision regarding

acceptance is deferred pending laboratory or other examination, the employee shall attach a "U. S. retained" tag to the substance or container thereof. The substance so tagged shall be kept separate from other substances as the inspector in charge may require, shall not be used until the tag is removed, and such removal shall be only by a division employee after a finding that the substance can be accepted, or, in the case of an unacceptable substance, when it is removed from the establishment.

**§ 18.17 Product for educational uses, laboratory examination, and other purposes.** When authorized by the director of division, product of special type or kind may be shipped or transported from official establishments for educational uses, laboratory examination, and other purposes.

## PART 20—REPORTS

Sec.

20.1 Inspection reports.

20.2 Daily reports.

20.3 Establishments to furnish information for reports.

20.4 Reports on sanitation.

**§ 20.1 Inspection reports.** Reports of the work of inspection carried on in every official establishment and elsewhere shall be forwarded to the division by the inspector in charge, on such forms and in such manner as may be specified by the director of division.

**§ 20.2 Daily reports.** Division employees shall make daily reports of the amounts of articles handled or prepared in the subdivisions of the establishments to which they are assigned and of such other things as the director of division or inspector in charge may require.

**§ 20.3 Establishments to furnish information for reports.** Each official establishment shall furnish to division employees accurate information as to all matters needed by them for making their reports pursuant to § 20.2.

**§ 20.4 Reports on sanitation.** Reports on sanitation shall be made by the division employees assigned to the various subdivisions of official establishments to the inspector in charge, and by the inspector in charge to the director of division or to the person designated by him.

## PART 21—APPEALS

**§ 21.1 Appeals from meat inspection actions.** Any appeal from a decision of an employee of the division shall be

made to his immediate superior having jurisdiction over the subject matter of the appeal.

## PART 22—COOPERATION WITH LOCAL AUTHORITIES

Sec.

22.1 Inspectors in charge to cooperate with Federal, State, and other local authorities.

22.2 Definite cooperative arrangements to be approved by the division.

**§ 22.1 Inspectors in charge to cooperate with Federal, State, and other local authorities.** Inspectors in charge shall confer with Federal, State, municipal and other local officials at their stations and inform them of the Federal meat-inspection service, what the division is accomplishing in that particular locality, and, in turn, ascertain what is being done by the local officials.

**§ 22.2 Definite cooperative arrangements to be approved by the division.** If it be proposed to adopt a definite cooperative arrangement, the details thereof shall be submitted to and approved by the director of division before it is put into effect.

## PART 23—BRIBERY, COUNTERFEITING, ETC.

Sec.

23.1 Bribes.

23.2 Inspection marks, etc.; forging, counterfeiting, etc.; improper use and handling.

**§ 23.1 Bribes.** (a) It is a felony, punishable by fine and imprisonment, for any person, firm, or corporation, or any agent or employee thereof, to give, pay, or offer, directly or indirectly, to any division employee authorized to perform any duty prescribed by the Meat-Inspection Act or the regulations in Parts 1 through 29 of this subchapter, any money or other thing of value with intent to influence such employee in the discharge of his duty. It is also a felony, punishable by discharge from office and by fine and imprisonment, for any division employee engaged in the performance of any duty prescribed by the Meat-Inspection Act or the regulations in Parts 1 through 29 of this subchapter to accept from any person, firm, or corporation, or from any agent or employee of such person, firm, corporation, any gift, money, or other thing of value given with intent to influence his official action, or to receive or accept from any person, firm, or corporation engaged in interstate or foreign commerce any

gift, money, or any other thing of value given for any purpose or intent whatsoever.

(b) Division employees shall not procure product from an official establishment except through the retail market when such a market is maintained. In the absence of such retail market, division employees shall not procure product from an official establishment unless such establishment sells such product direct to its own employees. Division employees must obtain receipts for money paid to official establishments for product.

**§ 23.2 Inspection marks, etc.; forging, counterfeiting, etc.; improper use and handling.** It is a misdemeanor punishable by fine and imprisonment, for any person, firm, or corporation, or officer, agent, or employee thereof, to forge, counterfeit, simulate, or falsely represent, or without proper authority to use, fail to use, or detach, or knowingly or wrongfully to alter, deface, or destroy, or to fail to deface or destroy, any of the marks, stamps, tags, labels, or other identification devices provided for in the Meat-Inspection Act or in and as directed by the regulations in Parts 1 through 29 of this subchapter, on any carcass, part of carcass, or the product or containers thereof, subject to the provisions of the Meat-Inspection Act, or any certificate in relation thereto authorized or required in the Meat-Inspection Act or as directed in the regulations in Parts 1 through 29 of this subchapter.

## PART 24—EXPORT STAMPS AND CERTIFICATES<sup>2</sup>

Sec.

- 24.1 Manner of affixing stamps and marking product for export.
- 24.2 Export stamps and certificates; instructions concerning issuance.
- 24.3 Export transportation without certificate prohibited; special procedure or requirements as to certification of product for export to certain countries.
- 24.4 Special requirements as to product for export to countries named herein.
- 24.5 Special requirements as to animal casings for export to countries named herein; certificates, stamps, handling, etc.
- 24.6 Export casings, bladders, hoofs, horns, grease, and similar inedible animal products.

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<sup>2</sup> Attention is directed to the requirements of Part 25, of this subchapter, governing transportation, and to the requirements of § 18.8 of this subchapter that articles prepared under that section for export be destroyed for food purposes before being sold or offered for sale for domestic use.



Sec.

24.7 Uninspected tallow, stearin, oleo oil, etc.; not to be exported unless exporter certifies as inedible.

24.8 Product packed with preservative for export; required stamps and certificates; affixing and removal of stamps.

**§ 24.1 Manner of affixing stamps and marking product for export.** (a) A numbered meat-inspection stamp shall be affixed to each outside container (except cloth wrappings) of any inspected and passed product for export except ship stores and small quantities exclusively for the personal use of the consignee and not for sale or distribution. So far as possible stamps shall be issued serially.

(b) Such stamps shall be securely affixed, and if the container be of wood the stamps shall be placed either (1) in a grooved space made by removing a portion of the wood of sufficient size to admit the stamp, (2) on either end of the package, provided that the sides thereof are made to project at least one-eighth of an inch to afford the necessary protection from abrasion, or (3) in some other equally satisfactory manner acceptable to the inspector in charge.

(c) The cloth wrapping used as an outside container of any inspected and passed product for export shall bear the inspection legend and the establishment number applied by the 2½-inch rubber brand, except that the cloth wrappings used as outside containers of such exportations to Great Britain are required to bear numbered export meat-inspection stamps securely affixed. The export mark of inspection may be applied by means of the rubber brand to the cloth coverings of inspected and passed product for export account of any Federal agency, regardless of the country of destination, provided such marking in lieu of export stamps is authorized by the agency concerned.

(d) A numbered meat inspection stamp shall be affixed to each tank car of inspected and passed lard or similar edible product, and to each door of each railroad car or other closed vehicle containing a full load of inspected and passed loose meat shipped direct to Canada, Cuba, or Mexico.

**§ 24.2 Export stamps and certificates; instructions concerning issuance.** (a) Upon application of the exporter, the inspector in charge is authorized to issue certificates for shipments of inspected and passed product to any foreign country. Certificates should be issued at the time the articles leave the establishment; if not issued at that

time, they may be issued later only after identification and reinspection of the products.

(b) Export certificates shall be issued in serial numbers and in triplicate form. Quadruplicate certificates may be issued for any exportation on request of the exporter. Each certificate shall show the names of the exporter and the consignee, the destination, the numbers of the stamps, if any, attached to the articles to be exported, the number and type of packages, the shipping marks, the kind of product, and the weight. On certificates showing a Federal agency as exporter, if desired by the agency concerned, the words "For export" may be used in lieu of name of consignee and destination, and the certificate should show (1) on the date line, the name of the station at which they are issued, (2) under "Description and marks," the additional statement "Establishment No. ----," and (3) the initials and numbers of the railway cars in which the products are forwarded from the contractor's establishment.

(c) Only one certificate shall be issued for each consignment, except that for sufficient reasons new certificates may be issued by inspectors in charge. A certificate issued in lieu of another should show in the left hand margin the notation "Issued in lieu ----." A certificate that is cancelled when another is issued in lieu thereof, shall show in the left hand margin the number of the certificate which was issued in lieu, as follows: "No. ---- in lieu."

(d) The original certificate shall be delivered to the shipper and shall be used only for the purpose of effecting the transportation and delivery of the consignment.

(e) The duplicate of the certificate shall be delivered to the shipper and by him delivered to the agent of the railroad or other carrier which transports the consignment from the United States otherwise than by water, or to the chief officer of the vessel on which the export shipment is made and without which no clearance shall be given to any vessel having aboard any product destined to countries listed in paragraph 24.3 (a), and shall be used only by these agencies and for the purpose of effecting the transportation of the consignment certified. The chief officer of the vessel shall file such duplicate with the customs officer at the time of filing the master's manifest or the supplemental manifest.

(f) The triplicate of the certificate shall be retained in the station file.

(g) Under no circumstances shall the original or the triplicate of such certificate be used for the purpose for which

it is prescribed by paragraph (e) of this section that the duplicate shall be used.

(h) Certificates and stamps may be issued by inspectors in charge upon request, for export consignments of product of official establishments not under their supervision, provided the consignments are first identified as having been "U. S. inspected and passed" and are found to be sound, healthful, wholesome, and fit for human food.

(i) No erasures or alterations shall be made on a certificate. All certificates rendered useless through clerical error or otherwise and all certificates cancelled for whatever cause shall be destroyed.

(j) All export certificates shall be so executed that the data entered thereon will appear in the proper spaces on each copy of the certificate.

**§ 24.3 Export transportation without certificate prohibited; special procedure or requirements as to certification of product for export to certain countries.** (a) No person operating any steam or sailing vessel, and no railroad or other carrier, shall receive for transportation or transport from the United States to Great Britain or Ireland, or any of the countries of continental Europe, or to Canada, Venezuela, Argentina, Peru, Colombia, the French Antilles, Cuba, or Algeria, any product, except ship stores and small quantities exclusively for the personal use of the consignee and not for sale or distribution, unless and until a certificate of inspection covering the same has been issued and delivered as provided in this part. The requirement of export certificates is waived for product exported to countries other than those named in this paragraph. The waiving of the requirement of export certificates for product exported to certain countries does not waive the requirements of § 24.1.

(b) Export certificates for shipments of inspected and passed product to Italy, Argentina, Venezuela, Dominican Republic, Colombia, Ecuador, Haiti, Norway, Poland, Guatemala, and Salvador shall be visaed by the consul of the country of destination at the place of origin or the first port.

(c) Form MI 412-8, which is printed in English on the obverse side and in French on the reverse side, shall be issued for each consignment of product destined to Algeria, Belgium, France, and Poland, in addition to the regular export certificate. The Form MI 412-8 shall be fully executed and signed on both sides.

(d) Form MI 412-8 and Form MI 412-9 must bear the official seal of the division inspector in charge who issues the certificates.

(e) *Canada*. (1) Export certificates shall not be issued for shipments of livers to Canada unless the portal lymph glands are intact.

(2) Export certificates shall not be issued for any shipment of artificially colored product for Canada.

(3) Export certificates for carload shipments of inspected and passed product in bulk to Canada shall show the car numbers and initials.

(4) Regular export certificates shall be issued in quadruplicate for product destined to Canada.

(f) *Colombia*. Form MI 412-7, which is printed in English on the obverse side and in Spanish on the reverse side, shall be issued in quintuplicate for lard destined to Colombia, South America. The certificate shall be fully executed and signed on both sides. The fifth copy shall be retained in the station file.

(g) *Dominican Republic*. Regular export certificates shall be issued in quadruplicate for product destined to the Dominican Republic.

(h) *Ecuador*. A special certificate on an official letter-head shall be issued for lard destined to Ecuador, showing the description and marks as well as the serial number of the regular export certificate issued for the product and the statement that the lard contains "no added stearine" or "not more than 10 percent added stearine" as the case may be. Inspectors in charge are also directed to issue an additional copy of the regular and special export certificate for lard destined to Ecuador.

(i) *Italy*. Oleo oil destined to Italy is required to contain exactly 5 percent of sesame oil, and the export certificate accompanying the product shall show in the margin:

Oleo oil to which exactly 5 percent of sesame oil has been added.

(j) *Mexico*. Regular export certificates shall be issued in quintuplicate for product destined to Mexico.

(k) *Netherlands*. (1) Export certificates shall be issued for fresh pork cuts not smaller than a quarter of a carcass destined to the Netherlands, with the following additional certification written and signed by the inspector in charge on the reverse side of the certificate:

The fresh pork described on the reverse side of this certificate was refrigerated continuously for not less than 3 weeks at a temperature not higher than 15° C. below freezing.



(2) Form MI 412-9 shall be issued for product destined to the Netherlands, in addition to the regular export certificate.

(1) *Switzerland*. The certificate and description of the shipment shall appear in the French language on the reverse side of certificates issued for shipments of inspected and passed product to Switzerland.

**§ 24.4 Special requirements as to product for export to countries named herein.** (a) *Canada*. (1) the uteri, vulvae, black gut, spleens, prepuces, udders, and testicles are prohibited in food articles for Canada.

(2) Crowns shall be removed from hog bungs used as containers of sausage for Canada.

(3) Foreign products originating in countries other than Argentina, Australia, Brazil, Denmark, Eire, France, Great Britain, New Zealand, Northern Ireland, Paraguay, Sweden, Switzerland, Union of South Africa, Uruguay, and the United States, are not admitted into the Dominion of Canada, and notwithstanding the fact that products are admitted into the United States from countries other than those above enumerated such products from such other countries are not acceptable in Canada even though accompanied with export certificates issued in the United States.

(4) Official establishments shall rigidly observe the following definitions in the preparation of meat, meat food products, and meat byproducts intended for exportation to the Dominion of Canada. Inspectors in charge are directed to see that only meat, meat food products, and meat byproducts which conform to these definitions are certified for exportation to the Dominion of Canada.

(i) Any descriptive terms applied to any meat, meat by-product, or to any preparation of either of them upon the label or otherwise, must be consistent with the definition of such terms as established under the Meat and Canned Foods Act of Canada.

(ii) Preservatives other than common salt, sugar, dextrose, glucose, saltpeter, wood smoke, vinegar, spices, alcohol, refined sodium nitrate, and refined sodium nitrite (not to exceed 200 parts per million in the finished product), or coloring matter, shall not be used in or upon meat, meat byproducts, or any preparation of either of them.

(iii) Meat shall be the clean, sound, properly dressed flesh

of one or more animals healthy at the time of slaughter and shall include the heart, tongue, diaphragm, and oesophagus in addition to the skeletal musculature with attendant tissues.

(iv) Fresh meat shall be meat from animals recently slaughtered and properly cooled until delivered to the consumer.

(v) Cold storage meat shall be meat from animals recently slaughtered and preserved by refrigeration until delivered to the consumer.

(vi) Salted, pickled, and smoked meats shall be unmixed meats preserved by salt, sugar, vinegar, spices, and other harmless substances, or smoked, singly or in combination, whether in bulk or in suitable containers.

(vii) Containers and wrappers in contact with food products shall contain on their surfaces in contact with food products, no lead, antimony, arsenic, zinc, or copper, or any compounds thereof or any other poisonous or injurious substances. If the containers are made of tin plate, they shall be outside soldered, or if soldered inside, the solder used shall consist of pure tin only; and the plate in no place shall contain less than one hundred and thirteen (113) milligrams of tin on a piece five (5) centimeters square or one and eight-tenths (1.8) grains on a piece of two (2) inches square.

This is equivalent to two (2) pounds of tin per base box; but it must be noted that the regulation requires not only a minimum weight of tin per base box, but that this tin shall be evenly distributed over the surface of the plate.

The inner coating of the containers shall be free from pin holes, blisters, and cracks.

If the tin plate is lacquered, the lacquer shall completely cover the lined surface within the container and yield to the contents of the container no lead, antimony, arsenic, zinc, or copper, or any compounds thereof, or any other poisonous or injurious substances.

(viii) Manufactured meats shall be meats not included in subdivision (iv), (v), and (vi) of this subparagraph, whether simple or mixed, whole or comminuted, in bulk or in suitable containers, with or without the addition of salt, vinegar, sugar, spices, or other harmless substances, smoke, oils, or rendered fat. If they bear names descriptive of kind, composition, or origin, they shall correspond thereto, and when bearing such descriptive names, if force or flavoring meats are used the kind and quantity thereof shall be made known.

(ix) Sausage, sausage pudding, etc., shall be a comminuted meat or a mixture of such meats, either fresh, salted, pickled, or smoked, with added salt and spices, and with or without the addition of edible animal fats, cereals, beef tripe, liver, blood, or sugar, and with or without subsequent smoking. The finished product shall not contain a larger proportion of water than the meats from which it is prepared contain when in their fresh condition and not more than five (5) percent by weight of cereal, and if it contains any cereal the proportion of water shall not exceed sixty (60) percent by weight. If it bears a name descriptive of kind, composition, or origin, it shall correspond to such descriptive name. All animal tissues used as containers, such as casings, stomachs, etc., shall be clean and sound and impart to the contents no substance other than salt.

(x) Blood sausage and blood pudding shall be sausage to which has been added clean, fresh blood from neat cattle in good health at the time of slaughter.

(xi) Canned meat shall be the cooked meat of fowls, neat cattle, or swine, preserved in packages closed hermetically or otherwise.

(xii) Corned or cured meat shall be meat cured or pickled with dry salt or in brine, with or without the addition of sugar or other harmless substances.

(xiii) Potted meat shall be comminuted and cooked meat, with or without cereal, salt, and spices, and enclosed in suitable containers closed hermetically or otherwise. Cereals when present must not exceed five (5) percent by weight.

(xiv) Meat loaf shall be a mixture of comminuted cooked meat, with or without cereal, salt, spices, milk, or eggs, pressed into a loaf. If it bears a descriptive name it shall correspond thereto. Meat loaf shall not contain more than five (5) percent of cereals.

(xv) Meat extract shall be the product obtained by extracting fresh meat with water and concentrating the liquid portion by evaporation after the removal of fat, and shall contain not less than seventy-five (75) percent of total solids of which not over twenty-seven (27) percent shall be ash, and not over twelve (12) percent shall be sodium chloride (calculated from the total chlorine present), not over six-tenths (0.6) percent shall be fat, and not less than eight (8) percent shall be nitrogen. The nitrogenous compounds shall

contain not less than forty (40) percent of meat bases and not less than ten (10) percent of creatin and creatinin.

(xvi) Fluid meat extract shall be identical with meat extract except that it shall be concentrated to a lower degree and contain not more than seventy-five (75) and not less than fifty (50) percent of total solids.

(xvii) Bone extract or stock shall be the product obtained by extracting clean, fresh, trimmed bones of animals in good health at the time of slaughter, with boiling water and concentrating the liquid portion by evaporation after removal of the fat, and shall contain not less than seventy-five (75) percent of total solids.

(xviii) Fluid bone extract shall be identical with bone extract except that it shall be concentrated to a lower degree and contain not more than seventy-five (75) and not less than fifty (50) percent of total solids.

(xix) Meat juice shall be the fluid portion of muscle fibre obtained by pressure or otherwise, and may be concentrated by evaporation at a temperature below the coagulating point of the soluble proteins. The solids shall contain not more than fifteen (15) percent of ash, not more than two and five-tenths (2.5) percent of sodium chloride (calculated from the total chlorine present), not more than four (4) and not less than two (2) percent of phosphoric acid ( $P_2O_5$ ), and not less than twelve (12) percent of nitrogen. The nitrogenous compounds shall contain not less than thirty-five (35) percent of coagulable proteins and not more than forty (40) percent of meat bases.

(xx) Peptones shall be products prepared by the digestion of protein material by means of enzymes or otherwise, and shall contain not less than ninety (90) percent of proteoses and peptones.

(xxi) Gelatin (edible gelatin) shall be the purified, dried, inodorous product of the hydrolysis by treatment by boiling water, of certain tissues, as skin, ligaments, and bones, from sound animals, and shall contain not more than two and six-tenths (2.6) percent of ash and not less than eighty-two (82) percent of ash free solids.

(xxii) Lard shall be the rendered fat from hogs in good health at the time of slaughter, shall be clean, free from rancidity, and contain, necessarily incorporated in the process of rendering, not more than one (1) percent of substance other than fatty acids and fat.



(xxiii) Leaf lard shall be lard rendered at moderately high temperature from the internal fat of the abdomen of the hog, excluding that adherent to the intestines, and shall have an iodine number not greater than sixty-five (65) and contain not more than one (1) percent of substances other than fatty acids and fat.

(xxiv) Compound lard, lard compound, etc., shall be a mixture of animal and vegetable fats and oils. It shall be free from rancidity, be made from sound and pure materials, and contain not more than one (1) percent of substances other than fatty acids and fat, and at least fifty-one (51) percent of actual lard shall be present in the article.

(xxv) Processed lard shall be the food product made by adding to lard a small proportion of a stabilizer consisting of one or more of the following ingredients: gum guaiacum; vegetable oil containing tocopherols; lecithin; citric acid, tartaric acid, ascorbic acid; and propyl gallate. Such stabilizers, singly or in combination, shall not exceed two-tenths of one (0.2) percent by weight of the finished product, except propyl gallate which shall not exceed one-hundredth of one (0.01) percent by weight of the finished product. The label or marking of every package or container in which processed lard is offered for sale shall display a statement in immediate conjunction with the name of the product naming the stabilizer: e. g., "Contains propyl gallate."

(xxvi) Meat byproducts shall be the clean, sound, edible parts other than meat, derived from one or more animals healthy at the time of slaughter and shall include the tissue residues from the processes whereby edible fats are rendered.

(xxvii) Prepared meat byproducts shall be wholesome articles made wholly or in part from comminuted meat byproducts with or without cereal, seasoning, common salt, sugar, saltpeter, wood smoke, vinegar, acetic acid, spices, alcohol, refined sodium nitrate, and refined sodium nitrite (not to exceed 200 parts per million in the finished product). All prepared meat byproducts shall be clearly and distinctly labeled as such.

(5) Canada prohibits the importation or introduction into that country, either direct or via other countries, of meat and meat byproducts, other than cooked canned meats, cooked canned meat byproducts, edible tallow, and oleo stearin from countries in which foot-and-mouth disease, or rinderpest, has

been known to exist during the preceding twelve (12) months.

(6) The marks of inspection shall be placed on each ham, shoulder, back, belly, and loin of hog carcasses, whether split or unsplit, exported from the United States to Canada. Care should be taken that such marks be applied so that they will be clearly legible upon arrival at destination.

(b) *France*. Pork livers which have not been refrigerated at a temperature of 15° below 0° C. for twenty (20) days are eligible for importation into France only when destined to pate de foie factories.

(c) *Great Britain*. (1) Only edible organs which upon visual examination are found without blemish are permitted exportation to Great Britain.

(2) Except for meat prepared for a Federal agency for export, the use of borax on meat shipped from the United States for consumption in England, Wales, and Scotland, is prohibited. However, preservative certificates may be issued at exporter's risk for meat packed in borax which is shipped to England, Wales, and Scotland: *Provided*, That for each consignment the exporter shows on his application Form MI 413-5 that the meat is intended for reexport from England, Wales, and Scotland, in accordance with the British regulations.

(3) The lymphatic glands and/or serous membranes are required to be in close anatomical relationship to fresh meat cuts imported into England and Wales.

(4) In order to insure uniformity of practice in administering the regulations, the Association of Port Sanitary Authorities of the British Isles has considered certain cuts of imported meat in regard to which difficulties might arise and adopted recommendations as to the inclusion in such cuts of the lymphatic glands and/or serous membrane in close anatomical relationship thereto. The list of cuts and recommendations is as follows:

#### PORK CUTS

<i>Cut</i>	<i>Recommendation</i>
A. C. hams; pork legs-----	All pork hams should have the popliteal gland, the superficial inguinal or supramammary glands in situ.
Bellies; Cumberland sides----	Should have both pleura and peritoneum in situ.

## PORK CUTS—Continued

<i>Cut</i>	<i>Recommendation</i>
Pork loins-----	The pleura, peritoneum, and the renal and lumbar lymphatic glands should be left in situ.
Picnics; Boston butts (boneless); Boston butts (bone in); pork roasts; boneless shoulders.	These are cuts from the shoulder and the prescapular gland should be left in situ.
Back fat-----	Consists entirely of the rind and fat from the back. There are no lean, no bone, and no glands. Complies with the regulations and should be admitted.

## BEEF AND MUTTON CUTS

<i>With bone</i>	<i>Recommendation</i>
Beef buttock-----	The popliteal lymphatic gland and the superficial inguinal or supramammary gland should be left in situ.
Clod and sticking piece-----	Half of the prescapular gland should be left in situ.
Fore rib-----	The pleura and the dorsocostal lymphatic glands should be left in situ.
Rib and pony-----	Half the prescapular gland, the dorsocostal lymphatic glands and the pleura should be left in situ.
Rump and loin-----	The cut should be made through the precrural lymph gland so that part of this gland is available for inspection in this cut, the other part being included in the thick flank. In addition the iliac, lumbar, and renal lymphatic glands, the peritoneum and as far as possible half of the ischiatic lymph gland should be left in situ.
Saddle of mutton-----	The iliac, lumbar, renal glands, and the peritoneum should be left in situ.

*Without bone*

Beef fillets; tenderloins-----	Should be accepted in spite of the fact that neither lymphatic glands nor peritoneum are available for inspection.
Beef hams-----	The popliteal gland should be left in situ.
Clod and sticking piece-----	Half the prescapular gland should be included in this cut.
Shins-----	Should be accepted though no glands are available for inspection.
Silverside; topside-----	Each should contain half the popliteal lymphatic gland.

## BEEF AND MUTTON CUTS—Continued

<i>Without bone</i>	<i>Recommendation</i>
Sirloin butts-----	Should be accepted though there are no glands or serous membrane available for inspection.
Sirloin strips-----	All the pleura belonging to the part and as much peritoneum as possible should be left in situ.
Spencer rolls-----	In the preparation of this cut the pleura should be incised down the middle of each rib. The ribs should then be removed without tearing away any of the pleura, the cut edges of which will fall together and so leave the whole surface of this serous membrane available for inspection.
Thick flank-----	Half the precutural lymph gland should be left in situ.
Tongues; ox (short cut); sheep.	Should not be trimmed closely. The fat in which the submaxillary lymphatic glands lie, together with such glands should be left in situ.
Quarters of beef (fores and hinds).	All lymphatic glands and all serous membranes should be left in their natural positions.

(5) England, Wales, Scotland, and Northern Ireland prohibit the importation of the following:

(i) Scrap meat, that is to say, meat which consists of scraps, trimmings, or other pieces (whether with or without bone), of such shape or in such condition as to afford insufficient means of identification with a definite part of a carcass.

(ii) Meat comprising the wall of the thorax or abdomen from which there has been detached any part of the pleura or (except in the case of meat derived from a pig) the peritoneum, other than a part necessarily removed in preparing the meat.

(iii) Meat from which a lymphatic gland, except a gland necessarily removed in preparing the meat, has been taken out.

(iv) The head of an animal without the submaxillary gland.

(6) No product from the carcasses of sheep or lambs showing any lesions of caseous lymphadenitis will be permitted export to England, Wales, Scotland, and Northern Ireland.

(d) *Switzerland*. Sausage prepared from frozen meat is ineligible for importation into Switzerland.



**§ 24.5 Special requirements as to animal casings for export to countries named herein; certificates, stamps, handling, etc.** (a) A regular blue animal-casing certificate may be issued for animal casings destined to countries other than Australia, Austria, Canada, France, Great Britain, Netherlands, New Zealand, Poland, and Union of South Africa, upon request of exporters.

(b) Form MI 415-5 shall be issued in duplicate for animal casings destined to Australia, Austria, Canada, Poland, and the Union of South Africa. Upon the request of the exporter, Form MI 415-5 may be issued to cover animal casings destined to any foreign country if the factual knowledge available justifies such certification.

(c) Form MI 412-8 shall be issued for animal casings destined to Algeria and Belgium. It shall also be issued for animal casings destined to Poland in addition to Form MI 415-5.

(d) *Belgium.* Containers of animal casings destined to Belgium shall be marked with the blue export animal casing stamp (MI 415-7). Each exportation shall be covered by a "Sanitary Certificate in French" (MI 412-8) with the words "Animal Casings" substituted for the word "Products". The certificate shall bear the serial number of the export animal casings stamps used. Nodular casings shall be described on the certificate as "Nodular (not clear)".

(e) *Canada.* Animal casings for Canada shall be marked with the name of the product such as "green hog casings," "finished beef bungs," etc., and a shipping mark in diamond form enclosing the initial or initials of the exporter.

(f) *France.* Form MI 412-8 shall be issued in duplicate for each consignment of animal casings destined to France. Such casings must be derived only from animals which have been U. S. inspected and passed. When necessary, inspectors will require affidavits from exporters covering the origin of animal casings. The duplicate copy of the certificate issued for animal casings shall be retained in the station file.

(g) *Great Britain.* (1) Only animal casings derived from animals slaughtered in official establishments, which have been handled in a sanitary manner and have not been treated with and do not contain any preservative, coloring, or other substance not permitted by Part 18 of this subchapter, and which upon examination by division inspectors are found

to be fit for sausage containers, shall be exported to Great Britain.

(2) Inspectors will satisfy themselves of the origin of the casings through affidavit of the exporter, and of the sanitary handling by examination of the premises and methods where the casings are prepared.

(3) The containers of animal casings for Great Britain shall be marked with the regular export stamp, but the casings need not be certified at the time of export. However, upon request of the exporter, Form MI 415-5 may be issued in duplicate to cover such exportation.

(h) *Ireland*. Containers of animal casings consigned to Ireland shall be marked with the regular export stamp (MI 412-10). Each exportation shall be covered by a certificate in the form of MI 415-5.

(i) *Netherlands*. Form MI 415-5 shall be issued in duplicate for hog casings destined to the Netherlands and shall bear on the reverse side the following statement signed by the inspector in charge:

The hog casings described on the reverse side of this certificate were refrigerated continuously for not less than three (3) weeks at a temperature not higher than fifteen (15) degrees C. below freezing.

In addition, Form MI 412-9 shall be issued for animal casings destined to the Netherlands.

(j) *New Zealand*. The New Zealand regulations governing the importation into that Dominion of sausage casings of animal origin provide that these articles may be admitted at the ports of Auckland, Gisborne, Napier, New Plymouth, Wanganui, Wellington, Lyttleton, Timaru, Port Chalmers, Dunedin, or Bluff, when accompanied with a certificate in the following form duly executed by the exporter and division inspector:

#### FORM No. 1

I, ----- of  
 (Give name and status)  
 the -----  
 (Give name of premises)  
 -----  
 (Where casings produced or prepared)  
 situated at or near ----- in the country or district  
 (Give name of town)  
 of -----, in the country or State of -----  
 ----- do hereby solemnly and sincerely declare that the sausage  
 casings more particularly described below to be shipped by -----

-----, of -----, to -----  
of -----

(a) Were derived from animals which received ante-mortem and post-mortem veterinary inspection at the time of slaughter;

(b) Were found to be healthy and in every way suitable for human consumption;

(c) Are sound, healthful, wholesome, and otherwise fit for human consumption;

(d) Have not been treated with chemical preservatives or other foreign substances injurious to health;

(e) Have been handled only in a sanitary manner; and

(f) Were not exposed to contagion prior to exportation.

*Description of casings*

Number and description of packages	Description of casings	Brands and marks

And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of-----

(State here under what statutory provisions the declaration is made)

Signed-----

Declared at -----, this ----- day of -----, 19-----,  
before me.

Signed-----

(N. B.—In any British country the declaration is to be made before a justice of the peace, notary public, or other person authorized to take it. In any country outside the British Empire the declaration is to be made before a British consul or vice consul, or before any other authorized person.)

FORM No. 2

*Government veterinarian's certificate to accompany sausage casings to  
New Zealand*

I, -----, a duly qualified veterinarian, now employed by the Government of -----, hereby certify that I have no reason to doubt the correctness of the above declaration in any particular. Dated at -----, this ----- day of -----, 19-----.

Signed-----,  
*Veterinary Inspector in Charge,  
Meat-Inspection Service.*

Accordingly, a certificate as a single document, including Form No. 1 and Form No. 2, as above specified, shall be furnished in duplicate fully executed by the exporter and division inspector in charge for each consignment of sausage casings of animal origin destined to New Zealand. The certificate forms shall be supplied by the exporter. The wording of the certificate limits certification to casings derived from animals slaughtered in official establishments and handled only in a sanitary manner. Inspectors will satisfy themselves of the origin of the casings and the sanitary handling thereof before issuing certificates. Furthermore, all such casings intended for exportation to New Zealand shall first be examined by division inspectors and only those found fit for use as sausage containers in official establishments shall be certified. A copy of each certificate shall be placed in the station file.

**§ 24.6 Export casings, bladders, hoofs, horns, grease, and similar inedible animal products.** Numbered inedible-product stamps and certificates of a distinctive color may be issued, upon request of the shipper, for export shipments of casings, bladders, hoofs, horns, grease, and similar inedible animal products.

**§ 24.7 Uninspected tallow, stearin, oleo oil, etc.; not to be exported unless exporter certifies as inedible.** No tallow, stearin, oleo oil, or the rendered fat derived from cattle, sheep, swine, or goats, that has not been inspected, passed, and marked in compliance with the regulations in Parts 1 through 29 of this subchapter shall be exported, unless the shipper files with the collector of customs at the port from which the export shipment is made a certificate by the exporter that such article is inedible.

**§ 24.8 Product packed with preservative for export; required stamps and certificates; affixing and removal of stamps.** (a) Numbered stamps and certificates of a distinctive color, known as preservative stamps and certificates, shall be issued to identify all articles prepared or packed with preservatives for export. The stamps shall be securely affixed to containers of the article before they leave the establishment, in the manner prescribed by § 24.1 (b). Unless upon special application to him, the director of division shall otherwise direct, the certificates shall be issued before the articles leave the establishment, and shall be issued and used



in the same way and shall serve the same purposes, respectively, as the certificates issued pursuant to § 24.2.

(b) Prior to export, no preservative stamp required by this section shall be detached from the container except under the personal supervision of a division employee. If the preservative stamp is detached, then the article in the container shall be handled in accordance with the provisions of § 18.8 of this subchapter.

## PART 25—TRANSPORTATION

Sec.

- 25.1 Interstate or foreign transportation prohibited without certificate; imported articles prior to inspection excepted if handled under seals.
- 25.2 Parcel post and ferries deemed carriers.
- 25.3 Certificate for product transported within the United States as part of foreign movement.
- 25.4 Shipments by jobbers, wholesalers, and others; breaking bulk, repacking, shipping, etc.
- 25.5 Form of certificate for interstate or foreign shipment of inspected product.
- 25.6 Unmarked inspected product may be transported in sealed cars between official establishments for further processing; transportation by truck, wagon, etc., under seal; breaking of seals.
- 25.7 Shipment of paunches between official establishments under seal.
- 25.8 Loading or unloading product in sealed railroad cars, trucks, wagons, etc., en route prohibited.
- 25.9 Shipments of product requiring special supervision between official establishments in sealed cars, trucks, wagons, etc.
- 25.10 Exemption; certificate for shipment of uninspected product.
- 25.11 Farmers; certificate for shipment of uninspected product.
- 25.12 Waybills, transfer bills, etc., evidence of proper certification required for shipment by connecting carrier; form of statement.
- 25.13 Returned products; requirements pertaining to.
- 25.14 Denaturing of uninspected or inspected meat known to be unsound, grease, etc., required prior to shipment; certificate for shipment; statement to appear on waybills, etc., of connecting carrier.
- 25.15 Certificates to be filed and retained by carriers for one year.
- 25.16 Diverting of shipments, breaking of seals and reloading by carrier in emergency; reporting to director of division.
- 25.17 Provisions in this part do not apply to specimens for laboratory examination, etc., or to inedible articles not having physical characteristics of edible products.

**§ 25.1 Interstate or foreign transportation prohibited without certificate; imported articles prior to inspection**

**excepted if handled under seals.**<sup>3</sup> No carrier shall transport or receive for transportation from one State or Territory or the District of Columbia to another State or Territory or the District of Columbia, or to any place under the jurisdiction of the United States, or to a foreign country, any article derived wholly or in part from cattle, sheep, swine, or goats unless and until a certificate is made and furnished to him in one of the forms prescribed therefor in this part: *Provided, however,* That any such article offered for importation into the United States may be transported and received for transportation from one State or Territory or the District of Columbia into another State or Territory or the District of Columbia, without such certificate, if such product is conveyed, prior to inspection, in cars, wagons, vehicles, or packages, sealed with special import-meat seals of the Department of Agriculture or with customs or consular seals as provided in Part 27 of this subchapter.

**§ 25.2 Parcel post and ferries deemed carriers.** (a) For the purposes of Parts 1 through 29 of this subchapter, the United States parcel post shall be deemed a carrier, and the provisions of Parts 1 through 29 of this subchapter relating to transportation by carriers shall apply, so far as they may be applicable, to transportation by parcel post.

(b) For the purposes of Parts 1 through 29 of this subchapter, every ferry and ferry line shall be deemed a carrier, and the provisions of Parts 1 through 29 of this subchapter relating to transportation by carriers shall apply to transportation by ferry or ferry line of any product loaded on a truck, wagon, cart, or other vehicle, or otherwise prepared for transportation.

**§ 25.3 Certificate for product transported within the United States as part of foreign movement.** When any shipment of any product is offered to any carrier for transportation within the United States as a part of a foreign movement, the same certificate shall be required as if the

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<sup>3</sup> Attention is directed to the fact that the Meat-Inspection Act prohibits the interstate transportation of any product which does not comply with the law or this subchapter, and makes a violation of the act a criminal offense punishable by a fine or not more than \$10,000 and imprisonment for not more than two years. Attention is also directed to the additional requirements of Part 24 of this subchapter, governing export stamps and certificates, and to §§ 16.16 and 16.17 of this subchapter.

shipment were destined to a point within the United States.

**§ 25.4 Shipments by jobbers, wholesalers, and others; breaking bulk, repacking, shipping, etc.** (a) Jobbers, wholesalers, and others who do no slaughtering or processing and who receive product which has not been processed other than under inspection in compliance with the regulations in Parts 1 through 29 of this subchapter may break bulk, repack, and ship the same in interstate commerce under § 25.5: *Provided*, That each article so shipped bears the inspection legend and is sound, healthful, wholesome, and fit for human food at the time of such shipment.

(b) Jobbers, wholesalers, and others who do no slaughtering or processing and who receive product which has not been processed other than under inspection in compliance with the regulations in Parts 1 through 29 of this subchapter may ship such article in interstate commerce under § 25.5 in the original containers in which the same were received by them: *Provided*, That such containers bear the inspection legend and the articles are sound, healthful, wholesome, and fit for human food at the time of such shipment.

(c) Jobbers, wholesalers, and others who operate establishments in which slaughtering or processing is done without the inspection provided for in Parts 1 through 29 of this subchapter and who receive product which has not been processed other than under inspection in compliance with Parts 1 through 29 of this subchapter may ship from such establishment in interstate or foreign commerce under § 25.5 any product which bears the inspection legend and is sound, healthful, wholesome, and fit for human food and has not been processed, reprocessed, or changed in any manner so as to alter the character of the product.

(d) Nothing contained in this section shall be construed as limiting the authority of division employees under other parts of this subchapter to make inspections and reinspections of articles bearing marks of inspection.

**§ 25.5 Form of certificate for interstate or foreign shipment of inspected product.** When any product which has been inspected and passed and bears the inspection legend is offered to any carrier for transportation from one State or Territory or the District of Columbia, to or through another State or Territory or the District of Columbia, or to any place under the jurisdiction of the United States, or to a foreign country, the carrier shall require, and the shipper

shall make and deliver to the carrier, a certificate in the following form, except as provided in § 25.6:

Date \_\_\_\_\_, 19\_\_\_\_

Name of carrier \_\_\_\_\_  
 Shipper \_\_\_\_\_  
 Point of shipment \_\_\_\_\_  
 Consignee \_\_\_\_\_  
 Destination \_\_\_\_\_

I hereby certify that the following described meat or meat food products, which are offered for shipment in interstate or foreign commerce, have been U. S. inspected and passed by Department of Agriculture, are so marked, and at this date are sound, healthful, wholesome, and fit for human food.

<i>Kind of product</i>	<i>Amount and weight</i>

\_\_\_\_\_  
 (Signature of shipper)  
 \_\_\_\_\_  
 (Address of shipper)

The signature of the shipper or of his agent shall be written in full. This certificate may be stamped upon or incorporated in any form which is ordinarily used in the transportation of product. Certificates in this form or copies thereof need not be forwarded to the Meat Inspection Division at Washington.

**§ 25.6 Unmarked inspected product may be transported in sealed cars between official establishments for further processing; transportation by truck, wagon, etc., under seal; breaking of seals.** (a) Any product which has been inspected and passed may be transported from one official establishment to any other official establishment for further processing without each article being marked with the inspection legend, if it is placed in a railroad car which is sealed<sup>4</sup> by a division employee with the official seal of the department bearing the inspection legend: *Provided*, That the receiving establishment has railroad facilities for unloading the product directly into the establishment. Unless 25 percent or more of the contents of each car consists of product not marked with the inspection legend, transportation will not be permitted under this paragraph.

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<sup>4</sup> Attention is directed to the law which provides a penalty of fine and imprisonment for breaking a seal on such cars without authority.



(b) When articles are offered for transportation under paragraphs (a) and (c) of this section, the carrier shall require, and the shipper shall make and deliver to the carrier, a certificate in duplicate in the following form: <sup>5</sup>

Date \_\_\_\_\_, 19\_\_\_\_  
 Name of carrier \_\_\_\_\_  
 Establishment number of consignor \_\_\_\_\_  
 Point of shipment \_\_\_\_\_  
 Establishment number of consignee \_\_\_\_\_  
 Destination \_\_\_\_\_  
 Car number and initials \_\_\_\_\_

I hereby certify that the following described meat or meat food products have been U. S. inspected and passed by Department of Agriculture. They are not marked "U. S. inspected and passed," but have been placed in the above car under the supervision of an employee of the Meat Inspection Division and the car has been sealed by him with Government seals Nos. \_\_\_\_ and \_\_\_\_.

<i>Kind of product</i>	<i>Amount and weight</i>
_____	_____
_____	_____
_____	_____
	_____ (Signature of shipper)
	_____ (Address of shipper)

The signature of the shipper or of his agent shall be written in full. This certificate shall be separate and apart from any waybill, bill of lading, or other form ordinarily used in the transportation of meat. The duplicate certificate shall be forwarded immediately by the initial carrier to the Director of the Meat Inspection Division, Washington, D. C. If the product is transported by the shipper himself a certificate shall nevertheless be forwarded by him to the Director of the Meat Inspection Division. For the purpose of the certificate under this paragraph, all articles in cars, trucks, wagons, etc., permitted by paragraphs (a) and (c) of this section to be sealed shall be deemed to be "not marked."

(c) Inspected and passed articles may be transported from one official establishment to any other official establishment for further processing without each article being marked with the inspection legend in a truck, wagon, etc., securely sealed by a division employee with the official seal of the department bearing the inspection legend. Only vehicles prop-

<sup>5</sup> For convenience in filing it is requested that these certificates be made on paper 5¼ x 8 inches in size.

erly equipped for the purpose may be sealed under this paragraph. Unless 25 percent or more of the contents of each vehicle consists of product not marked with the inspection legend, transportation will not be permitted under this paragraph.

(d) When shipments are made under this section, the inspector in charge at the point of origin shall immediately notify the inspector in charge at the point of destination by means of Form MI 408-1. One copy of the form shall be placed in a sealed envelope and tacked, or otherwise securely fastened, to the inside of one of the doors of the railroad car, truck, wagon, etc., and one copy shall be mailed to the inspector in charge at destination immediately after the vehicle has been sealed.

(e) Except as provided in § 25.16 (b), seals affixed under this section shall be broken by division employees, and no person other than a division employee shall detach, break, change, or tamper with any such seal in any way whatever.

**§ 25.7 Shipment of paunches between official establishments under seal.** Cattle and sheep paunches which have been made clean and from which the mucous membrane has not been removed may be transported from one official establishment to another official establishment for further preparation only under official seal of the department bearing the inspection legend. When paunches are offered for transportation under this paragraph, the carrier shall require and the shipper shall make and deliver to the carrier a certificate in duplicate in the form set out in § 25.6 (b), appropriately modified. If the product is transported by the shipper himself, a certificate shall nevertheless be forwarded by him to the Director of the Meat Inspection Division.

**§ 25.8 Loading or unloading product in sealed railroad cars, trucks, wagons, etc., en route prohibited.** Unloading product from a sealed railroad car, truck, wagon, etc., containing unmarked product or loading product or any other commodity in the vehicle while en route from one official to another official establishment is not permitted.

**§ 25.9 Shipments of product requiring special supervision between official establishments in sealed cars, trucks, wagons, etc.** (a) Products requiring special supervision, such as product passed for cooking, pork that has been refrigerated to destroy trichinae, and beef that is to be refrigerated to destroy cysticerci, may be shipped loose from one

official establishment to any other official establishment, for further treatment, in sealed railroad cars, trucks, wagons, etc.: *Provided*, That there is no other product in the vehicle: *And provided further*, That in the case of cars, the receiving establishment has railroad facilities for unloading the product directly into the establishment.

(b) When such restricted product is shipped from one official establishment to another official establishment in the same railroad car, truck, wagon, etc., with other product, such restricted product shall be packed in individual closed containers and the containers sealed in accordance with § 18.10 (c) of this subchapter, and marked "U. S. passed for cooking" or "pork product —° F. — days refrigeration" or "beef passed for refrigeration," as the case may be. In addition, a "U. S. retained" tag shall be securely affixed to each container of product passed for cooking and of beef passed for refrigeration. The car, truck, wagon, etc., should not be sealed unless at least 25 percent of the other meat in the vehicle is unmarked.

(c) When a shipment is made in a sealed car, truck, wagon, etc., under this section, the inspector in charge at the point of origin shall immediately notify the inspector in charge at point of destination in accordance with instructions in § 25.6 (d).

(d). When a shipment is made under this section in properly sealed and marked closed containers, the inspector in charge at point of origin shall immediately notify the inspector in charge at destination by means of an appropriately modified Form MI 408-1, furnishing complete information.

(d) When articles are offered for transportation under this section, the carrier shall require and the shipper shall make and deliver to the carrier a certificate in duplicate in the form set out in § 25.6 (b), appropriately modified. If the product is transported by the shipper himself a certificate shall nevertheless be forwarded by him to the Director of the Meat Inspection Division.

**§ 25.10 Exemption; certificate for shipment of uninspected product.** When any product which has not been inspected and passed under the provisions of Parts 1 through 29 of this subchapter is offered for transportation from one State or Territory or the District of Columbia to or through another State or Territory or the District of Columbia, or to any place under the jurisdiction of the United States, or to a foreign country, by any retail butcher or retail dealer who holds a certificate of exemption issued in compliance

with the provisions of Parts I through 29 of this subchapter, the carrier shall require and such retail butcher or retail dealer shall make and deliver to the carrier, a certificate in duplicate in the following form: <sup>6</sup>

Date \_\_\_\_\_, 19\_\_\_\_  
 Name of carrier \_\_\_\_\_  
 Shipper \_\_\_\_\_  
 Point of shipment \_\_\_\_\_  
 Consignee \_\_\_\_\_  
 Destination \_\_\_\_\_  
 Number of exemption certificate \_\_\_\_\_

I hereby certify that I am a retail butcher or a retail dealer in meat or meat food products; that the following described meat or meat food products are offered for shipment in interstate or foreign commerce under a certificate of exemption issued to me by the United States Department of Agriculture, and that at this date they are sound, healthful, wholesome, and fit for human food, and contain no preservative or coloring matter or other substance prohibited by the Federal meat inspection regulations.

<i>Kind of product</i>	<i>Amount and weight</i>
_____	_____
_____	_____
_____	_____
	(Signature of shipper)
	(Address of shipper)

The signature of the shipper or of his agent shall be written in full, and each certificate shall show the exemption number of the shipper. This certificate shall be separate and apart from any waybill, bill of lading, or other form ordinarily used in the transportation of meat. The duplicate certificate shall be forwarded immediately by the initial carrier to the Director of the Meat Inspector Division, Washington, D. C. If the product is transported by the shipper himself a certificate shall nevertheless be forwarded by him to the Director of the Meat Inspection Division.

**§ 25.11 Farmers; certificate for shipment of uninspected product.** When cattle, sheep, swine, or goats have been slaughtered by a farmer on the farm, and any product derived therefrom is offered to a carrier for transportation from one State or Territory or the District of Columbia to or through another State or Territory or the District of Columbia, or to any place under the jurisdiction of the United States, or to a foreign country, the carrier may so

<sup>6</sup> See footnote 5, § 25.6 (b).



transport such product which is identified as derived from any of such animals slaughtered by a farmer on the farm. The carrier shall require, and the shipper shall make and deliver to the carrier, a certificate in duplicate in the following form: <sup>7</sup>

Date\_\_\_\_\_ , 19\_\_\_\_

Name of carrier\_\_\_\_\_

Shipper\_\_\_\_\_

Point of shipment\_\_\_\_\_

Consignee\_\_\_\_\_

Destination\_\_\_\_\_

I hereby certify that the following described uninspected meat or meat food products are from animals slaughtered by a farmer on the farm, and are offered for transportation in interstate or foreign commerce as exempted from inspection according to the Meat-Inspection Act of March 4, 1907, as amended, and that at this date they are sound, healthful, wholesome, and fit for human food, and contain no preservative or coloring matter or other substance prohibited by the Federal meat inspection regulations.

<i>Kind of product</i>	<i>Amount and weight</i>
_____	_____
_____	_____
_____	_____
	_____ (Signature of shipper)
	_____ (Address of shipper)

The signature of the shipper or of his agent shall be written in full. This certificate shall be separate and apart from any waybill, bill of lading, or other form ordinarily used in the transportation of meat. The duplicate certificate shall be forwarded immediately by the initial carrier to the Director of the Meat Inspection Division, Washington, D. C. If the product is transported by the shipper himself a certificate shall nevertheless be forwarded by him to the Director of the Meat Inspection Division.

**§ 25.12 Waybills, transfer bills, etc., evidence of proper certification required for shipment by connecting carrier; form of statement.** All waybills, transfer bills, running slips, conductor's cards, or other papers accompanying an interstate or foreign shipment of any product shall have embodied therein, stamped thereon, or attached thereto a signed statement which shall be evidence to connecting carriers that the proper shipper's certificate, as required by §§ 25.5, 25.6, 25.7, 25.9, 25.10, or 25.11, is on file with the initial carrier; and no connecting carrier shall receive for transportation or

<sup>7</sup> See footnote 5, § 25.6 (b).

transport any interstate or foreign shipment of any product unless the waybill, transfer bill, running slip, conductor's card, or other paper accompanying the same includes the aforesaid signed statement in one of the following forms:

When shipment is made under §§ 25.5, 25.6, 25.7, or 25.9:

-----  
(Name of transportation company)

U. S. inspected and passed, as evidenced by shipper's certificate on file with initial carrier.

(Signed) ----- Agent

When shipment is made under §§ 25.10 or 25.11:

-----  
(Name of transportation company)

Exempted from inspection, as evidenced by shipper's certificate on file with initial carrier.

(Signed) ----- Agent

Signatures of agents to statements required under this section shall be written in full.

**§ 25.13 Returned products; requirements pertaining to.** (a) When it is claimed that any product, which has theretofore been inspected and passed and marked with the inspection legend, has become unsound, unhealthful, unwholesome, or in any way unfit for human food after it has been transported away from an official establishment, then, in order to ascertain whether it is unsound, unhealthful, unwholesome, or in any way unfit for human food, the same may be transported from one State or Territory or the District of Columbia to any official establishment in the same or another State or Territory or the District of Columbia if a written permit in duplicate for such shipment is first obtained from the inspector in charge of the establishment to which the shipment is destined. In case of every such shipment both the original and the duplicate of the permit shall be surrendered to the carrier, and the carrier shall require and the shipper shall make and deliver to the carrier a certificate in duplicate in the following form:<sup>8</sup>

Date -----, 19\_\_\_\_

Name of carrier-----

Consignor-----

Point of shipment-----

Consignee-----

Destination-----

Number of permit-----

<sup>8</sup> See footnote 5, § 25.6 (b).

I hereby certify that the following described meat or meat food products have been U. S. inspected and passed by Department of Agriculture and are so marked. It is alleged that the said meat or meat food products are unsound, unhealthful, unwholesome, and unfit for human food.

<i>Kind of product</i>	<i>Amount and weight</i>
-----	-----
-----	-----
-----	-----
	(Signature of shipper)
	(Business or occupation of shipper)
	(Address of shipper)

The signature of the shipper or of his agent shall be written in full, and the certificate shall in every case contain a description and the weight of the product. This certificate shall be separate and apart from any waybill, bill of lading, or other form ordinarily used in the transportation of meat. One of the certificates and the duplicate copy of the inspector's permit shall be retained by the carrier; the other copy of the certificate and the original inspector's permit shall be forwarded immediately to the Director of the Meat Inspection Division, Washington, D. C.

(b) As evidence to connecting carriers that the proper shipper's certificate as required by this paragraph is on file with the initial carrier, the waybills, transfer bills, running slips, conductor's cards, or other papers accompanying such shipments shall have embodied therein, stamped thereon, or attached thereto, a signed statement in the following form:

-----  
(Name of transportation company)  
U. S. inspected and passed meat or meat food product alleged to be unsound, unwholesome, or otherwise unfit for food, as evidenced by permit and shipper's certificate on file with initial carrier.  
(Signed) ----- Agent.

The signature of the agent shall be written in full.

(c) Upon the arrival of the shipment at the establishment, a careful inspection shall be made of the product by a division inspector, and if it is found that the article is sound, healthful, wholesome, and fit for human food, the same may be received into the establishment; but if the article is found to be unsound, unhealthful, unwholesome, or in any way unfit for human food, the same shall at once be stamped "U. S.

inspected and condemned" and disposed of in accordance with Parts 1 through 29 of this subchapter.

(d) No product which is unsound, unhealthful, unwholesome, or in any way unfit for human food shall be transported from an official establishment under this section, but it shall be disposed of at the official establishment in accordance with Parts 1 through 29 of this subchapter: *Provided*, That when a product is found to come within one of the classes designated in §18.1 (a) (2) of this subchapter, in respect to which rehandling is permitted, it may be transported from an official establishment and admitted into another official establishment for such rehandling. The transportation of such a product from an official establishment shall be in a manner prescribed by the director of division. If the product is transported by the shipper himself a certificate shall nevertheless be forwarded by him to the Director of the Meat Inspection Division.

**§ 25.14 Denaturing of uninspected or inspected meat known to be unsound, grease, etc., required prior to shipment; certificate for shipment; statement to appear on waybills, etc., of connecting carrier.** (a) No uninspected product, and no inspected and passed product which is known to have become unsound, unhealthful, unwholesome, or in any way unfit for human food, including any rendered or unrendered grease, tallow, or other fat derived from the carcasses of cattle, sheep, swine, or goats and possessing the physical characteristics of an edible product, shall be transported from one State or Territory or the District of Columbia to any other State or Territory or the District of Columbia, or to any place under the jurisdiction of the United States, or to a foreign country, unless it is first denatured or otherwise destroyed for food purposes. The shipper shall not offer nor the carrier receive for such transportation any such article until it has been denatured or otherwise destroyed for food purposes as required by this section. The carrier shall require and the shipper shall make and deliver to the carrier a certificate in duplicate in the following form:<sup>9</sup>

Date \_\_\_\_\_, 19\_\_\_\_

Name of carrier \_\_\_\_\_

Consignor \_\_\_\_\_

Point of shipment \_\_\_\_\_

Consignee \_\_\_\_\_

Destination \_\_\_\_\_

<sup>9</sup> See footnote 5, § 25.6 (b).



I hereby certify that the following described meat or product, or grease, tallow, or other fat, which is offered for shipment in interstate or foreign commerce, has been denatured or otherwise destroyed for food purposes.

<i>Kind of product</i>	<i>Amount and weight</i>
-----	-----
-----	-----
-----	-----
	(Signature of shipper)
	(Business or occupation of shipper)
	(Address of shipper)

The signature of the shipper or of his agent shall be written in full. This certificate shall be separate and apart from any waybill, bill of lading, or other form ordinarily used in the transportation of meat. The duplicate certificate shall be forwarded immediately by the initial carrier to the Director of the Meat Inspection Division, Washington, D. C. If the product is transported by the shipper himself a certificate shall nevertheless be forwarded by him to the Director of the Meat Inspection Division.

(b) As evidence to connecting carriers that the proper shipper's certificate is on file with the initial carrier, the waybills, transfer bills, running slips, conductor's cards, or other papers accompanying such shipments shall have embodied therein, stamped thereon, or attached thereto a signed statement in the following form:

-----  
(Name of transportation company)

Unsound, unwholesome, or otherwise unfit for human food, and denatured or otherwise rendered unavailable for food purposes, as evidenced by shipper's certificate on file with initial carrier.  
(Signed)----- Agent.

The signature of the agent shall be written in full.

(c) No dog food or other animal food prepared, in whole or in part, from materials derived from the carcasses of cattle, sheep, swine, goats, or horses, either in an official establishment or elsewhere, shall be transported from one State or Territory or the District of Columbia to any other State or Territory or the District of Columbia, or to any place under the jurisdiction of the United States, or to a foreign country, unless (1) it is properly identified as dog food or other animal food, (2) it is not represented as being a human food, and (3) if, possessing the physical characteristics of an edible product, it has been treated (denatured or decharacterized) so as to be readily distinguishable from

an article of human food: *Provided*, That such dog food or other animal food packed in hermetically sealed, retort processed, conventional retail-size containers need not be denatured or decharacterized if the name of the canned article, as for example "Dog Food," "Cat Food," "Dog and Cat Food," "Animal Food," and the like, appears on the label in a conspicuous manner. To be considered conspicuous, the letters in the name of the canned article, as for example "Dog Food," must be at least three times as high, wide, and thick as the letters in the words denoting the use, as ingredients in the article, of the materials derived from the carcasses of cattle, sheep, swine, goats, or horses. The letters in the name of such article shall contrast as markedly with their background as the letters in the words denoting the use of such ingredient materials contrast with their background.

**§ 25.15 Certificates to be filed and retained by carriers for one year.** All original certificates delivered to a carrier in accordance with this part shall be filed separate and apart from all its other papers and records and retained by it for one year, in order that they may be readily checked in such manner as the director of division may from time to time prescribe.

**§ 25.16 Diverting of shipments, breaking of seals and reloading by carrier in emergency; reporting to director of division.** (a) Shipments of inspected and passed product that bears the inspection legend may be diverted from the original destination without a reinspection of the articles, provided the waybills, transfer bills, running slips, conductor's cards, or other papers accompanying the shipments are marked, stamped, or have attached thereto signed statements in accordance with § 25.12.

(b) In case of wreck or other extraordinary emergency, the Department seals on a railroad car or truck containing any inspected and passed product may be broken by the carrier, and, if necessary, the articles may be reloaded into another car or truck, or the shipment may be diverted from the original destination, without another shipper's certificate; but in all such cases the carrier shall immediately report the facts by telegraph to the Director of the Meat Inspection Division, Washington, D. C. Such report shall include the following information:

- (1) Nature of the emergency.
- (2) Place where seals were broken.
- (3) Original points of shipment and destination.
- (4) Number and initials of the original car or truck.
- (5) Number and initials of the car or truck into which the articles are reloaded.
- (6) New destination of the shipment.
- (7) Kind and amount of articles.

**§ 25.17 Provisions in this part do not apply to specimens for laboratory examination, etc., or to inedible articles not having physical characteristics of edible products.** (a) The provisions of this part do not apply:

(1) To specimens of products sent to or by the Department of Agriculture or branches thereof in Washington, D. C., or elsewhere, for laboratory examination, exhibition purposes, or other official use;

(2) To material released for educational, research, and other purposes under § 14.5 of this subchapter and to material released for educational uses, laboratory examination, and other purposes under § 18.17 of this subchapter;

(3) To glands and organs for use in preparing pharmaceutical, organotherapeutic, or technical products, as provided for in § 18.15 (a) of this subchapter;

(4) To material or specimens of product for laboratory examination, research, or other purposes, when authorized by the Director of the Division and under conditions prescribed by him;

(5) To hoofs, horns, hides, etc., or inedible grease, inedible tallow, or other inedible fats, which do not possess the physical characteristics of an edible product.

## PART 26—FEDERAL FOOD, DRUG, AND COSMETIC ACT

**§ 26.1 Federal Food, Drug, and Cosmetic Act; foods containing product derived from cattle, sheep, swine, goats, or horses, compliance with.** (a) A food which contains product derived from cattle, sheep, swine, goats, or horses but which is not amenable to the Meat Inspection Act, is subject to the Federal Food, Drug, and Cosmetic Act (21 U. S. C., 301–392), if in interstate or foreign commerce.

(b) Product is exempt from the provisions of the Federal Food, Drug, and Cosmetic Act to the extent of the application, or the extension thereto, of the Meat-Inspection Act.

PART 27—IMPORTED PRODUCTS<sup>10</sup>

- Sec.
- 27.1 Application.
  - 27.2 Eligibility of foreign countries for importation of product into the United States.
  - 27.3 When product, etc., prohibited entry; preservatives, misbranding, etc.
  - 27.4 Importation of foreign inedible fats.
  - 27.5 No product to be imported without compliance with regulations.
  - 27.6 Imported product; foreign certificates required.
  - 27.7 Importer to make application for inspection; information required.
  - 27.8 Import meat or meat food products; division inspection; arrival, time and place; movement from port of entry.
  - 27.9 Import product; movement prior to inspection; sealing; handling; bond; facilities and assistance.
  - 27.10 Import product; equipment of conveyances used in handling to be maintained in sanitary condition.
  - 27.11 Burlap wrapping for foreign meat.
  - 27.12 Product imported; samples; inspection of whole consignment; condemnations; exception; marketing.
  - 27.13 Receipts to importers for import meat samples.
  - 27.14 Foreign canned and packaged meat and meat food product, bearing trade labels; sampling and inspection.
  - 27.15 Foreign product offered for importation; reporting of findings to customs; handling and marking of articles refused entry; marking carcasses and parts.
  - 27.16 Marking and labeling of product U. S. inspected and passed for importation; application of inspection legend.
  - 27.17 Outside containers of foreign products; marking and labeling.
  - 27.18 Small importations for consignee's personal use; requirements.
  - 27.19 Returned United States inspected and marked products; not importations.
  - 27.20 Imported product to be handled and transported as domestic; entry into official establishments; transportation.
  - 27.21 Specimens for laboratory examination and similar purposes.

**§ 27.1 Application.** This part shall apply only to product derived from cattle, sheep, swine, and goats. The term United States, as used, includes Alaska, Hawaii, and Puerto Rico.

**§ 27.2 Eligibility of foreign countries for importation of product into the United States.** (a) Whenever it shall be determined by the Secretary of Agriculture that the system of meat inspection maintained by any foreign country is the substantial equivalent of, or is as efficient as, the

<sup>10</sup> Imported product after admission into the United States is deemed and treated as a domestic article, subject to the Meat-Inspection Act and the Food, Drug, and Cosmetic Act, and acts amendatory of, supplementary to or in substitution for such acts. (Act of June 17, 1930, sec. 306; 19 U. S. C. 306).



system established and maintained by the United States and that reliance can be placed upon certificates required under this part from authorities of such foreign country, notice of that fact will be given by including the name of such foreign country in paragraph (b) of this section, and thereafter product as to which the foreign inspection or certification is determined to be sufficient shall be eligible for importation into the United States from such foreign country, after applicable requirements of Parts 1 through 29 of this subchapter have been met. Product from foreign countries not listed in paragraph (b) of this section is not eligible for importation into the United States, except as provided by § 27.18. The listing of any foreign country under this section may be withdrawn whenever it shall be determined by the Secretary of Agriculture (1) that the system of meat inspection maintained by such foreign country is not the substantial equivalent of, or is not so efficient as, the system established and maintained by the United States, or that reliance cannot be placed upon certificates required under this part from authorities of such foreign country; or (2) that, for lack of current information concerning the system of meat inspection being maintained by such foreign country or for any other reason, such foreign country should reestablish its eligibility for listing.

(b) It has been determined that product from the following foreign countries, covered by foreign meat inspection certificates of the country of origin as required by § 27.6, except fresh, chilled, or frozen or other product ineligible for importation into the United States from countries in which the contagious and communicable disease of rinderpest or of foot-and-mouth disease exists as provided in Part 94 of this chapter, is eligible for importation into the United States after inspection and marking as required by the applicable provisions of Parts 1 through 29 of this subchapter.

Argentina.  
Australia.  
Belgium.  
Brazil.  
Canada.  
Costa Rica.  
Cuba.  
Czechoslovakia.  
Denmark.  
Dominican Republic.

England and Wales.  
Finland.  
France.  
Germany (Federal Republic).  
Honduras.  
Iceland.  
Ireland (Eire).  
Italy.  
Luxembourg.  
Madagascar.

Mexico.  
Netherlands.  
New Zealand.  
Northern Ireland.  
Norway.  
Paraguay.  
Poland.

Scotland.  
Spain.  
Sweden.  
Switzerland.  
Uruguay.  
Venezuela.

**§ 27.3 When product, etc., prohibited entry; preservatives, misbranding, etc.** (a) No product of a kind forbidden entry into, or forbidden to be sold or restricted in sale in, the country in which the animal from which it was derived was slaughtered, or in which the article was prepared or processed, shall be admitted into the United States.

(b) No product which contains or has been treated with any preservative, coloring matter, or other substance, except as permitted by Part 18 of this subchapter, shall be admitted into the United States. No article of a kind mentioned in § 18.10 of this subchapter, unless treated in compliance therewith, shall be admitted into the United States.

(c) No product which bears, or the container of which bears, any statement, design, or device prohibited by Part 17 of this subchapter or which fails to bear any qualifications with reference to added substances provided by Parts 16 and 17 of this subchapter, or which is in any respect misbranded or adulterated within the meaning of the Federal Food, Drug, and Cosmetic Act, as amended, shall be admitted into the United States.

(d) No meat trimmings in pieces too small to permit of adequate inspection upon arrival shall be admitted into the United States.

(e) No inedible grease, inedible tallow, or other rendered inedible fat possessing the physical characteristics of an edible product shall be admitted into the United States for industrial use unless it has been first denatured or otherwise destroyed for food purposes and the containers have been marked in the manner prescribed by § 16.18 of this subchapter.

(f) No canned product shall be admitted into the United States unless it meets the following requirements:

(1) Canned product must be processed at such temperature and for such period of time as will assure keeping without refrigeration under usual conditions of storage and transportation, with the exception of canned product specified by the director of division which is processed without steam-

pressure cooking in accordance with the methods approved by the director of division and which is labeled "Perishable, Keep Under Refrigeration" where such labeling is required by the director of division.

(2) Heat processed canned product shall show the external characteristics of sound cans, that is, the cans shall not be overfilled; they shall have concave sides, excepting the seam side, and all ends shall be concave; there shall be no bulging; the sides and ends shall conform to the product; and there shall be no slack or loose tin.

**§ 27.4 Importation of foreign inedible fats.** Foreign inedible rendered fats which do not possess the physical characteristics of an edible product are eligible for importation without restriction under Parts 1 through 29 of this subchapter. Such importations need not be reported to the division.

**§ 27.5 No product to be imported without compliance with regulations.** No product offered for importation from any foreign country shall be admitted into the United States except upon compliance with all the requirements of this part applicable to it.

**§ 27.6 Imported product; foreign certificates required.** (a) Except as provided in paragraph (e) and § 27.18, each consignment containing any product consigned to the United States from a foreign country shall be accompanied with a foreign meat-inspection certificate in the following form:

FOREIGN OFFICIAL MEAT-INSPECTION CERTIFICATE

Place\_\_\_\_\_Date\_\_\_\_\_  
(City) (Country)

I hereby certify that the meat and meat food products herein described were derived from cattle, sheep, swine, or goats which received ante-mortem and post-mortem veterinary inspections at the time of slaughter, and that such meat and meat food products are sound, healthful, wholesome, and otherwise fit for human food, and have not been treated with, and do not contain, any preservative, coloring matter, or other substance not permitted by the regulations governing the meat inspection of the United States Department of Agriculture, filed with me, and that said meat and meat food products have been handled only in a sanitary manner in this country.

Kind of product	Number of pieces or packages	Weight
-----	-----	-----
-----	-----	-----
-----	-----	-----
-----	-----	-----

Identification marks on meats and packages -----  
 Consignor -----  
 Address -----  
 Consignee -----  
 Destination -----  
 Shipping marks -----  
     (Signature) -----  
         (Name of official of national foreign government authorized to issue  
         inspection certificates for meat and meat food products exported  
         to the United States)  
     (Official title) -----

(b) Each foreign meat-inspection certificate shall be signed by an official authorized by the national government of the foreign country in which the product is inspected to sign and issue the same. Except as provided in paragraph (e) of this section, the name of each official authorized to sign and issue foreign meat-inspection certificates, when submitted to the Department, will be published, and the director of division shall file with each such official a copy of the regulations in Parts 1 through 29 of this subchapter and copies of amendments which may hereafter be made thereto. No inspector shall accept a certificate unless it is signed by an official whose name has been published by the Department and whose authority to sign certificates has not been revoked.

(c) Each foreign meat-inspection certificate shall contain a statement of the number of pieces or packages, and the total weight of each kind of product comprising the consignment, together with a description of the identification marks on the product or on the packages containing the same, a description of the shipping marks, the name and address of the consignor, the name of the consignee, and the final destination of the consignment in the United States and except as provided in paragraph (e) of this section shall be in the English language.

(d) The foreign meat-inspection certificate required by this section to accompany each consignment containing any product shall be delivered by the consignee, or his agent, in the United States to the division inspector at the place of inspection, and inspection of the product will not be commenced prior to such delivery.

(e) The foreign meat-inspection certificate of the national government of a foreign country, the form and substance of which has been approved by the Department and which is issued for any product, may be accepted in lieu of the certificate prescribed in paragraph (a) of this section, notwith-



standing the fact that the name of the foreign official who signed the certificate has not been published by the Department.

(f) Except as provided in § 27.18 and paragraph (g) of this section, each consignment of any product of a kind prepared customarily to be eaten without cooking (such as summer sausage, "Italian" and "Westphalia" hams, and the like), which contains any muscle tissue of pork, shall be accompanied, in addition to any other certificate required by this section, by a separate foreign meat-inspection certificate in the following form:

### OFFICIAL MEAT-INSPECTION CERTIFICATE FOR PORK AND PORK PRODUCTS

(For shipment to the United States of articles of a kind prepared customarily to be eaten without cooking, and which contain muscle tissue of pork.)

Place \_\_\_\_\_ Date \_\_\_\_\_, 19\_\_\_\_

I hereby certify that the article or articles herein described are of a kind prepared customarily to be eaten without cooking, and contain muscle tissue of pork, which, when fresh or freshly cured in salt, were subjected to a temperature not higher than five (5) degrees F. for not less than twenty (20) days, or otherwise treated as specified by the Director of the Meat Inspection Division, and that said articles contain no muscle tissue of pork which has not been treated as herein specified.

<i>Kind of product</i>	<i>Number of pieces or packages</i>	<i>Weight</i>
-----	-----	-----
-----	-----	-----
-----	-----	-----

Identification marks on meats and packages -----

Consignor -----

Address -----

Consignee -----

Destination -----

Shipping marks -----

(Signature) -----

(Name of official of national foreign government authorized to issue inspection certificates for meat and meat food products exported to the United States)

(Official title) -----

NOTE: A certificate in the above form is required to accompany each consignment of any product of a kind prepared customarily to be eaten without cooking (such as summer sausage, "Italian" and "Westphalia" hams, and the like), which contains any muscle tissue of pork. This certificate is to be delivered by the consignee, or his

agent, to the inspector of the Meat Inspection Division at the point of inspection in the United States.

Each such foreign meat-inspection certificate shall be subject to the provisions of paragraphs (b) to (d), inclusive, of this section.

(g) The official meat-inspection certificate for pork and pork products of the national government of a foreign country, the form of which has been approved by the Department and which is issued for any pork and pork products, may be accepted in lieu of the certificate prescribed in paragraph (f) of this section, notwithstanding the fact that the name of the foreign official who signed the certificate has not been published by the Department.

(h) The foreign official meat-inspection certificate for pork and pork products as provided for in paragraph (f) of this section, accompanied with a foreign meat-inspection certificate approved in accordance with paragraph (e) of this section, may be accepted even though the name of the foreign official who signed it has not been published by the Department, provided that it agrees with the signature of the foreign official who signed the certificate approved in accordance with paragraph (e) of this section.

**§ 27.7 Importer to make application for inspection; information required.** Each importer shall make application for inspection to the inspector in charge, if one be stationed at the port where any product is to be offered for importation, or, if not, to the Director of the Meat Inspection Division, Department of Agriculture, Washington, D. C., as long as possible in advance of the anticipated arrival of each consignment, except in the case of consignments of product expressly exempted from inspection by § 27.18. Each application shall state the approximate date on which the consignment is due to arrive in the United States, the name of the boat or other carrier transporting it, the name of the country from which the product was shipped, the place of destination, the quantity and kind of product, and whether fresh, cured, or canned. In case of consignments arriving in the United States by water, the application should also state the port of first arrival in the United States.

**§ 27.8 Import meat or meat food products; division inspection; arrival, time and place; movement from port of entry.** (a) Except as provided in § 27.18, all products offered for importation from any foreign country shall be

inspected by a division inspector before the same shall be admitted into the United States.

(b) All products required by this part to be inspected, which arrive in the United States by water at any port where a division inspector is stationed, shall be inspected on the wharf at the time of unloading, except that if, upon the application of the consignee, or his agent, the inspector in charge at such port shall so direct, the articles may be inspected at any other place within the limits of the port or shipped to destination for inspection, if an inspector of the division is stationed at destination.

(c) All products required by this part to be inspected, which arrive in the United States by water at any port where a division inspector is stationed, and which are consigned to any place where no division inspector is stationed, shall be inspected on the wharf at the time of unloading.

(d) All products required by this part to be inspected, which arrive in the United States by water at a port where no division inspector is stationed and which are consigned to any place where a division inspector is stationed, shall be inspected at destination.

(e) All products required by this part to be inspected, which arrive in large quantities in the United States by water at a port where no division inspector is stationed and which are consigned to any place where no division inspector is stationed, shall be inspected at such place as the Director of the Meat Inspection Division, Washington, D. C., on application of the consignee or his agent, or upon the request of the customs officer at the port of arrival, shall direct.

(f) All products required by this part to be inspected, which arrive in small quantities (less than carload lots) in the United States by water at a port where no division inspector is stationed and which are consigned to any place where no division inspector is stationed, shall be shipped in customs custody under seal to the nearest point where an inspector of the division is stationed for inspection at that point.

(g) All products required by this part to be inspected, which arrive in the United States otherwise than by water and which are consigned to any place where a division inspector is stationed, shall be inspected at destination.

(h) All products required by this part to be inspected, which arrive in carload lots in the United States otherwise

than by water, and which are consigned to any place where no division inspector is stationed, shall proceed to destination in customs custody under seal for inspection at destination. In such cases the inspector of the division or the customs officer at the border port shall immediately telegraph the Director of the Meat Inspection Division, Washington, D. C., all facts in connection with the shipment. Upon receipt of such telegraphic information the director of division shall detail an inspector to the point where products are destined to make the required inspection.

(i) All products required by this section to be inspected and which arrive in less than carload lots in the United States otherwise than by water at a border port where an inspector of the division is stationed, and which are consigned to any place where no division inspector is stationed, shall be inspected by the inspector of the division at the border port.

(j) All products required by this part to be inspected and which arrive in less than carload lots in the United States otherwise than by water at a border port where no inspector of the division is stationed, and which are consigned to any place where no division inspector is stationed, shall proceed in customs custody under seal to the nearest point where an inspector is stationed for inspection at that point.

(k) No product required by this part to be inspected shall be moved, prior to inspection, from the port of first arrival in the United States, or, if arriving by water, from the wharf where unloaded, unless the same is conveyed in cars, wagons, or other vehicles, sealed, or in packages corded and sealed, in compliance with § 27.9.

(l) Foreign chilled fresh meat shall be inspected in the same manner as domestic chilled fresh meat.

(m) A 10 percent sample inspection shall be made of each consignment of foreign frozen fresh meat, and if a considerable portion of the samples examined are found to be in an unacceptable condition then a 100 percent inspection of the consignment, including defrosting if necessary, shall be made.

(n) Foreign canned products are required to be sound, healthful, wholesome, and otherwise fit for human food at the time they are offered for importation into the United States. Therefore, consignments of such products containing more than one-fourth of 1 percent of unsound or sus-



picious cans (leakers, swellers, short vacuums, overstuffed), or both, will not be passed for entry. The initial inspection of foreign canned products shall consist of a 5 percent sample inspection. If more than one-fourth of 1 percent of unsound or suspicious cans (leakers, swellers, short vacuums, overstuffed), or both, are found upon initial sample inspection, then an additional sample inspection of not more than 5 percent shall be made, and if the percentage of unsound or suspicious cans, or both, still exceeds one-fourth of 1 percent the matter shall be referred to the division and the product held in customs custody pending further instructions.

(o) Forms MI 410-4 and 410-5 shall be issued by inspectors of the division or customs officers at border or seaboard ports for reporting the sealing of cars, wagons, other vehicles, and packages of foreign products to division inspectors in charge at points where such product is to be inspected.

(p) Rubber stamps will be furnished upon requisition for marking customs and transportation papers to show that foreign products are passed for entry, refused entry, condemned, or are transported in customs custody to interior points in the United States for inspection.

(q) Representative samples of canned shelf size (under 3 lbs.) product such as hams, shoulders, shoulder picnics, and pork loins shall be incubated by holding them for at least ten days at about 98° F. When deemed necessary by the director of division, incubation may be required for other types of canned product. The necessary incubation facilities shall be provided by the importers or their agents.

**§ 27.9 Import product; movement prior to inspection; sealing; handling; bond; facilities and assistance.** (a)

Cars, wagons, other vehicles, or packages in which any product is conveyed in accordance with this part, prior to inspection, from the port of first arrival in the United States, or, if arriving by water, from the wharf where unloaded, unless already sealed with customs or consular seals in accordance with the customs regulations, shall be sealed with special import-meat seals of the Department of Agriculture. Packages shall be securely corded before being offered for sealing. Such special seals shall be affixed by division inspectors, or, if there be no division inspector at such port or wharf, then by customs officers.

(b) No person shall affix, break, alter, deface, mutilate, remove, or destroy any special import-meat seal of the De-

partment of Agriculture, except customs officers or division inspectors or as provided for in paragraph (h) of this section.

(c) No product shall be removed from any car, wagon, other vehicle, or package sealed with a special import-meat seal of the Department of Agriculture except under the supervision of a division inspector or a customs officer, or as provided for in paragraph (h) of this section.

(d) No product required by this part to be inspected shall be moved, prior to inspection, from any port, or, if arriving by water, from the wharf where first unloaded, to any place other than the place designated by, or in accordance with, this part as the place where the same shall be inspected.

(e) No product required by this part to be inspected shall be conveyed, prior to inspection, from any port, or, if arriving by water, from the wharf where first unloaded, in any manner other than in compliance with this part.

(f) No product required by this part to be inspected shall be delivered to the consignee or his agent prior to inspection, unless the consignee shall furnish a bond, in form prescribed by the Secretary of the Treasury, conditioned that the product shall be returned, if demanded, to the collector of the port where the same is offered for clearance through the customs.

(g) The consignee or his agent shall furnish such facilities and shall provide such assistants for handling and marking product offered for importation as division inspectors may require.

(h) In case of a wreck or similar extraordinary emergency, the special import-meat seal of the Department of Agriculture on a car, wagon, or other vehicle, may be broken by the carrier, and, if necessary, the articles may be reloaded into another car, wagon, or other vehicle for transportation to destination. In all such cases, the carrier shall immediately report the facts by telegraph to the Director of the Meat Inspection Division, Washington, D. C. Such report shall include the following information :

1. Nature of the emergency.
2. Place where seals were broken.
3. Points of shipment and destination.
4. Identity of the conveying vehicle, such as the initials and number of the car.
5. Identity of the vehicle into which the articles are loaded.
6. Kind and amount of articles.

**§ 27.10 Import product; equipment of conveyances used in handling to be maintained in sanitary condition.**

Compartments of steamships, sailing vessels, railroad cars, and other conveyances transporting any product to the United States, and all trucks, chutes, platforms, racks, tables, tools, utensils, and all other devices used in moving and handling any product offered for importation into the United States, shall be maintained in a sanitary condition.

**§ 27.11 Burlap wrapping for foreign meat.** The use of burlap as a wrapping for foreign meat will not be permitted unless the meat is first wrapped with a good grade of paper or cloth of a kind which will prevent contamination with lint or other foreign material.

**§ 27.12 Product imported; samples; inspection of whole consignment; condemnations; exception; marking.**

(a) Division inspectors shall take, without cost to the United States, from each consignment offered for importation, samples of any product which is subject to analysis, except that samples of any product offered for importation without inspection under § 27.18 shall not be taken unless there is reason for suspecting the presence therein of a substance in violation of that section.

(b) If the inspection of samples indicates that any product offered for importation into the United States is unsound, unhealthful, unwholesome, or otherwise unfit for human food, a thorough inspection of the whole consignment from which the samples were taken shall be made.

(c) Carcasses and parts of carcasses offered for importation from which such tissues as the peritoneum, pleura, body lymph glands, or the portal glands of the liver have been removed, shall be refused entry.

(d) Any product offered for importation which is found upon inspection to be unsound, unhealthful, unwholesome, or otherwise unfit for human food, or to contain any dye, chemical, preservative or ingredient not permitted by Part 18 of this subchapter, or which is of a kind required by § 27.3 (a) to be refused admission, shall be condemned and marked "U. S. inspected and condemned," except that, upon application to the inspector, any product which is found to contain preservatives not permitted by Parts 1 through 29 of this subchapter, but in the preparation or packing of which no substance has been used in conflict with the laws of the foreign country from which exported, and which is not found

to be otherwise unsound, unhealthful, unwholesome, or unfit for human food, may be marked "U. S. refused entry." Any product offered for importation which is found upon inspection not to comply with this part but which is not of a kind required to be marked "U. S. inspected and condemned" shall be designated "U. S. refused entry" or designated and marked "U. S. refused entry" as directed by the inspector in charge, depending upon the inspectional findings.

(e) Any product, or the container thereof, offered for importation from any foreign country and accompanied with a foreign certificate of inspection as required by this part, which, upon inspection by division inspectors, is not found to be unsound, unhealthful, unwholesome, or otherwise unfit for human food, or to contain any dye, chemical, preservative, or ingredient not permitted by Part 18 of this subchapter, or to violate this part in any respect shall be marked "U. S. inspected and passed by Department of Agriculture," or with an authorized abbreviation of the inspection legend, and with the official name or abbreviation of the station to which the inspector is assigned. All product so marked, in compliance with this part, shall, so far as the Department of Agriculture has jurisdiction over the same, be admitted into the United States.

#### **§ 27.13 Receipts to importers for import meat samples.**

In order that importers may be assured that samples of foreign products collected for laboratory examination are to be used exclusively for that purpose, receipts shall be issued and delivered to importers, or their agents, by inspectors for all samples of foreign products collected. The receipt shall be prepared in duplicate on official stationery, over the signature of the inspector who collects the samples, and shall show the name of the importer, country of origin, amount and kind of product collected, date of collection, and that it was collected for laboratory examination. The duplicate copy of the receipt shall be retained by inspectors in charge as their office record.

**§ 27.14 Foreign canned and packaged meat and meat food product, bearing trade labels; sampling and inspection.** (a) Samples of foreign canned and packaged products bearing trade labels which have not been approved shall be collected and forwarded to the laboratory for examination, and the products shall be held pending receipt of the report



of the laboratory findings and the results of the examination of trade labels and the marks on shipping containers.

(b) Foreign canned and packaged products bearing trade labels and other markings which have been approved and numbered shall be inspected for soundness and checked for net weight. Check samples may be collected for laboratory examination, but the products need not be held pending the report of laboratory findings.

(c) A single unopened can with all marks and labels intact shall constitute a minimum sample of canned products.

(d) A number of cans sufficient in the judgment of division inspectors to be representative of the whole consignment shall be taken from more than one case when consignments of foreign canned products consisting of large numbers of small cans are sampled.

**§ 27.15 Foreign product offered for importation; reporting of findings to customs; handling and marking of articles refused entry; marking carcasses and parts.** (a) Division inspectors shall report their findings as to any product which has been inspected in accordance with this part, to the collector at the port where the same is offered for clearance through the customs, and shall request the collector to refuse admission to all product which is marked "U. S. inspected and condemned" or designated "U. S. refused entry" or designated and marked "U. S. refused entry," and to direct that the same be exported by the consignee within a specified time, unless the consignee, within such specified time, shall cause the destruction thereof for food purposes under the supervision of a division inspector. Such specified time shall be 30 days after such notice to customs officers, unless a different time be fixed by the director of division upon application to him. If any such product be destroyed for food purposes under the supervision of a division inspector, he shall give prompt notice thereof to the collector.

(b) Upon the request of the collector, consignees shall, at their own expense, immediately return to him any product which is marked "U. S. inspected and condemned" or designated "U. S. refused entry" or designated and marked "U. S. refused entry" or which in any respect does not comply with this part. All such product shall be conveyed in cars, wagons, or other vehicles, or in corded packages, sealed with the special import-meat seal of the Department of Agriculture.

(c) No person shall remove or cause to be removed from any place designated as a place of inspection by, or in accordance with, Parts 1 through 29 of this subchapter, any product which Parts 1 through 29 require to be marked in any way, unless the product has been clearly and legibly marked in compliance with such requirements.

(d) The marks required by § 27.12 (d) and (e) shall be applied by branding to carcasses and parts of carcasses offered for importation which are unwrapped or not enclosed in a container. Not less than one brand shall be applied to each quarter of a beef carcass.

**§ 27.16 Marking and labeling of product U. S. inspected and passed for importation; application of inspection legend.** (a) In addition to the name of the country of origin, which shall be preceded by the words "product of," product offered for importation, whether or not enclosed in an immediate or true container, shall bear such other marks, stamps, brands, or labels, as are necessary for compliance with Part 16 of this subchapter. When such marks are imprints of stamps or brands and are made with branding ink, the latter shall be harmless and of a kind to give permanency to the imprints. In case the name of the country of origin appears as part of an official stamp or brand of the national government and such name is prominently and legibly displayed, the words "product of" may be omitted from such marking.

(b) The immediate or true container of product offered for importation shall bear a label showing (1) the name of product; (2) the name of the country of origin preceded by the words "product of," which statement shall appear immediately under the name of product; (3) the word "ingredients" followed by a list of the ingredients in case of product fabricated from two or more ingredients but not product for which definitions and standards of identity have been prescribed by Parts 1 through 29 of this subchapter; (4) the name and place of business of the manufacturer, packer, or distributor, qualified by a phrase which reveals the connection that such person has with the product, no part of which statement shall be misleading; and (5) an accurate statement of the quantity of contents. The labeling required in this subparagraph for containers shall be in addition to the marking of the product under paragraph (a) of this section.

(c) (1) All outside containers of product which have

been inspected and passed in compliance with this part shall be marked by the inspector, or under his supervision, "U. S. inspected and passed by Department of Agriculture," or authorized abbreviation thereof and with the name or abbreviation of the name of the official station having jurisdiction over the inspection. The 2½ inch circular rubber import meat brand bearing an authorized abbreviation of the inspection legend and the abbreviated name of the official station shall be used for marking shipping containers of product which conforms to the requirements of this part.

(2) To each immediate or true container of product which has been inspected and passed in compliance with this part and which is to be removed from the outside container at a place other than an official establishment, and thereafter to be transported in interstate or foreign commerce or to an official establishment, there shall be securely affixed, under the supervision of an inspector, a sticker, approved by the director of division, bearing an inspection legend and an identifying serial number.

(3) To each immediate or true container of product which has been inspected and passed in compliance with this part and which is removed from an outside container at an official establishment, a sticker bearing an inspection legend and the establishment number shall be securely affixed, before the same shall be allowed to leave the establishment.

**§ 27.17 Outside containers of foreign products; marking and labeling.** (a) Outside containers in which true containers of foreign products are shipped to the United States are required to bear the true name of the product and the name of the country of origin in a prominent and legible manner.

(b) Stencils, box dies, and brands on outside containers of foreign products need not be submitted to the Washington office for approval. However, such marks shall be carefully examined by inspectors, and if it is found that they are false or deceptive the products shall be refused entry.

(c) The marks of inspection of foreign governments embossed on metal containers or branded on carcasses or parts thereof need not be submitted for approval.

(d) All labels and marks on immediate or true containers as well as private brands on carcasses or parts of carcasses shall be submitted for approval, except as provided in paragraph (c) of this section.

**§ 27.18 Small importations for consignee's personal use; requirements.** (a) Any product offered for importation in small quantity exclusively for the personal use of the consignee, and not for sale or distribution, which is sound, healthful, wholesome, and fit for human food, and contains no dye, chemical, preservative, or ingredient not permitted by Part 18 of this subchapter, and which is not adulterated or misbranded within the meaning of the Federal Food, Drug, and Cosmetic Act, as amended, may be admitted into the United States without foreign meat-inspection certificates and without inspection and marking; but division inspectors may inspect any product offered for importation under this paragraph if there is reason for suspecting that it is unsound, unhealthful, unwholesome, or otherwise unfit for food, or contains any dye, chemical, preservative, or ingredient not permitted by Part 18 of this subchapter, or is adulterated or misbranded within the meaning of the Federal Food, Drug, and Cosmetic Act, as amended.

(b) No product offered for importation under paragraph (a) of this section shall be admitted into the United States if it is unsound, unhealthful, unwholesome, or otherwise unfit for human food, or if it contains any dye, chemical, preservative, or ingredient not permitted by Part 18 of this subchapter or if it is adulterated or misbranded within the meaning of the Federal Food, Drug, and Cosmetic Act, as amended.

(c) No carrier shall transport or receive for transportation from one State or Territory or the District of Columbia to or through any other State, Territory, or the District of Columbia, or to any place under the jurisdiction of the United States, any product exempted from inspection and admitted into the United States in compliance with this section unless the shipper shall make and deliver to the carrier a certificate in duplicate in the following form: <sup>11</sup>

Date \_\_\_\_\_, 19\_\_\_\_

Name of carrier \_\_\_\_\_

Shipper \_\_\_\_\_

Point of shipment \_\_\_\_\_

Consignee \_\_\_\_\_

I hereby certify that the following-described meat or meat food products, offered for transportation in interstate commerce, were imported into the United States exclusively for the personal use of the

<sup>11</sup> See footnote 5, § 25.6 (b).



consignee, and not for sale or distribution, and are exempted from inspection by the regulations governing the meat inspection of the United States Department of Agriculture.

<i>Kind of product</i>	<i>Amount and weight</i>
-----	-----
-----	-----
	----- (Signature of shipper)
	----- (Address of shipper)

The signature of the shipper or of his agent shall be written in full. This certificate shall be separate and apart from any waybill, bill of lading, or other form ordinarily used in the shipment of meat. The duplicate certificate shall be forwarded immediately by the initial carrier to the Director of the Meat Inspection Division, Washington, D. C. If the product is transported by the shipper himself a certificate shall nevertheless be forwarded by him to the Director of the Meat Inspection Division. All waybills, transfer bills, running slips, or conductor's cards accompanying an interstate shipment of any product transported in compliance with this section shall have embodied therein, stamped thereon, or attached thereto a signed statement which shall be evidence to connecting carriers that the shipper's certificate required by this section is on file with the initial carrier; and no connecting carrier shall receive for transportation or transport any interstate shipment of any product under this section unless the waybill, transfer bill, running slip, conductor's card, or other paper, accompanying the same includes the aforesaid signed statement, in the following form:

-----  
(Name of transportation company)

Imported for the personal use of consignee and exempt from inspection, as evidenced by shipper's certificate on file with initial carrier.

(Signed) ----- Agent.

The signature of the agent shall be written in full.

**§ 27.19 Returned United States inspected and marked products; not importations.** United States inspected and passed and so marked products returned from foreign countries are not importations within the meaning of this part. Such return shipments shall be reported to the division by letter and not on Form MI 410-2.

**§ 27.20 Imported product to be handled and transported as domestic; entry into official establishments;**

**transportation.** (a) All imported product, after admission into the United States in compliance with this part shall be deemed and treated, and, except as provided in § 27.18 (c), shall be handled and transported as domestic product, and shall be subject to the applicable provisions of Parts 1 through 29 of this subchapter and to the provisions, prohibitions, and penalties of the Meat Inspection Act.

(b) Imported product inspected, passed, and marked in accordance with this part may, subject to the provisions of § 18.4 (a) of this subchapter, be taken into official establishments and be mixed with or added to product in such establishments which has been inspected and passed therein.

(c) Imported product which has been inspected, passed, and marked under this part may be transported from one State or Territory or the District of Columbia to or through another State or Territory or the District of Columbia, or to any place under the jurisdiction of the United States, or to a foreign country, only upon compliance with Part 25 of this subchapter.

**§ 27.21 Specimens for laboratory examination and similar purposes.** The provisions in this part do not apply to specimens of product for laboratory examination, research or similar purposes when authorized importation by the Director of Division under conditions specified by him, but the Director of Division may not authorize the importation of fresh, chilled or frozen or other product ineligible for importation into the United States from countries in which the contagious and communicable diseases of rinderpest or foot-and-mouth disease exist.

## PART 28—DEFINITIONS AND STANDARDS OF IDENTITY

Sec.

- 28.1 Oleomargarine or margarine; identity; label statement of optional ingredients.
- 28.2 Corned beef hash; identity; label statement of optional ingredients.
- 28.3 Chopped ham; identity; optional ingredients; labeling.

**§ 28.1 Oleomargarine or margarine; identity; label statement of optional ingredients.** (a) Oleomargarine or margarine is the plastic food which is prepared in accordance with the provisions of subparagraphs (1), (2), (3), and (4) of this paragraph.

(1) It is prepared with one or more of the optional fat ingredients named in any one of subdivisions (i), (ii), (iii), (iv) of this subparagraph.

(i) The rendered fat, or oil, or stearin derived therefrom (any or all of which may be hydrogenated), of cattle, sheep, swine, or goats, or any combination of two or more of such articles;

(ii) Any vegetable food fat or oil, or oil or stearin derived therefrom (any or all of which may be hydrogenated), or any combination of two or more of such articles;

(iii) Any combination of ingredients named under subdivisions (i) and (ii) of this subparagraph in such proportion that the weight of the ingredients named under subdivision (i) of this subparagraph either equals the weight of the ingredients named under subdivision (ii) of this subparagraph or exceeds such weight by a ratio not greater than 9 to 1.

(iv) Any combination of ingredients named under subdivisions (i) and (ii) of this subparagraph in such proportion that the weight of the ingredients named under subdivision (ii) of this subparagraph exceeds the weight of the ingredients named under subdivision (i) of this subparagraph by a ratio not greater than 9 to 1.

(2) It contains one of the articles named in the subdivisions (i), (ii), (iii), or (iv) of this subparagraph, or a combination of two or more of such articles, intimately mixed with the fat ingredient or ingredients, after such article has been pasteurized and subjected to the action of harmless bacterial starters. The term "milk" as used in this subparagraph means cow's milk.

(i) Cream;

(ii) Milk;

(iii) Skim milk;

(iv) Any combination of nonfat dry milk and water in which the weight of the nonfat dry milk is not less than 10 percent of the weight of the water;

(v) Congealing is effected, either with or without contact with water, and the congealed mixture may be worked.

(3) It may contain one or more of the following optional ingredients in addition to the ingredients and articles named in subparagraphs (1) and (2) of this paragraph:

(i) Artificial coloring. For the purpose of this subdivision provitamin A shall be deemed to be artificial coloring.

(ii) Sodium benzoate, or benzoic acid, or a combination

of these, in a quantity not to exceed 0.1 percent of the weight of the finished product.

(iii) Vitamin A (with or without any accompanying vitamin D and with or without vitamin D concentrate), in such quantity that the finished oleomargarine or margarine contains not less than 15,000 United States Pharmacopoeia units of vitamin A per pound, as determined by the method prescribed in the Pharmacopoeia of the United States for total biological vitamin A activity. The vitamin A potency prescribed may be furnished by fish liver oil; by concentrates of vitamin A or its fatty acid esters from animal sources; by synthetic vitamin A or its fatty acid esters; by mixtures of synthetic vitamin A or its fatty acid esters with harmless substances formed during the synthesis of the vitamin A, if the vitamin A or its fatty acid ester constitutes not less than 50 percent of the mixture; by provitamin A; or by any combination of two or more of these. For the purposes of this subdivision the term "fatty acid" may include acetic acid.

(iv) The artificial flavoring diacetyl added as such, or as starter distillate, or produced during the preparation of the product as a result of the addition of citric acid or harmless citrates.

(v) (a) Lecithin, in an amount not exceeding 0.5 percent of the weight of the finished oleomargarine or margarine; or (b) monoglycerides or diglycerides of fat-forming fatty acids, or a combination of these, in an amount not exceeding 0.5 percent of the weight of the finished oleomargarine or margarine; or (c) such monoglycerides and diglycerides in combination with the sodium sulfoacetate derivatives thereof in a total amount not exceeding 0.5 percent of the weight of the finished oleomargarine or margarine; or (d) a combination of (a) and (b) of this subdivision in which the amount of neither exceeds that above stated; or (e) a combination of (a) and (c) of this subdivision in a total amount not exceeding 0.5 percent of the weight of the finished oleomargarine or margarine. The weight of diglycerides in each of ingredients (b), (c), (d) and (e) of this subdivision is calculated at one-half actual weight.

(vi) Butter.

(vii) Salt.

(viii) Citric acid incorporated in the fat or oil ingredient used.

(ix) Isopropyl citrates incorporated in the fat or oil in-



gredient used, in an amount not to exceed 0.02 percent by weight of the finished oleomargarine or margarine.

(x) Stearyl citrate incorporated in the fat or oil ingredient in an amount not to exceed 0.15 percent by weight of the finished oleomargarine or margarine.

(4) The finished oleomargarine or margarine shall contain not less than 80 percent fat, as determined by the method prescribed in "Official Methods of Analysis of the Association of Official Agricultural Chemists," 7th Edition, Page 259, under "Indirect Method," section 15.111.

(b) (1) When any ingredient named under one of the following specified subdivisions of subparagraphs of paragraph (a) of this section is used, the label shall, except as provided in subparagraph (2) of this paragraph, bear the statement set forth after such specified subdivision:

(i) Subdivision (i), subparagraph (1): "Prepared from Animal Fat," or "Made from Animal Fat," or "Prepared from Meat Fat," or "Made from Meat Fat."

(ii) Subdivision (iii), subparagraph (1): "Prepared from Animal and Vegetable Fats," or "Made from Animal and Vegetable Fats," or "Prepared from Meat Fats and Vegetable Fats," or "Made from Meat Fats and Vegetable Fats."

(iii) Subdivision (iv), subparagraph (1): "Prepared from Vegetable and Animal Fats," or "Made from Vegetable and Animal Fats," or "Prepared from Vegetable and Meat Fats," or "Made from Vegetable and Meat Fats."

(iv) Subdivision (i), subparagraph (3): "Artificially Colored," or "Artificial Coloring Added," or "With Added Artificial Coloring."

(v) Subdivision (ii), subparagraph (3): "Sodium Benzoate (or, as the case may be, 'Benzoic Acid' or 'Sodium Benzoate and Benzoic Acid') Added as a Preservative," or "With Added Sodium Benzoate (or, as the case may be, 'Benzoic Acid' or 'Sodium Benzoate and Benzoic Acid') as a Preservative," stating the percent used.

(vi) Subdivision (iii), subparagraph (3): "Vitamin A Added," or "With Added Vitamin A."

(vii) Subdivision (iv), subparagraph (3): "Artificially Flavored," or "Artificial Flavoring Added," or "With Added Artificial Flavoring."

(viii) Subdivision (viii), subparagraph (3): "Citric Acid Added To Protect Flavor" or "Citric Acid Added as a Preservative."

(ix) Subdivision (ix), subparagraph (3): "Isopropyl Citrate Added To Protect Flavor" or "Isopropyl Citrate Added as a Preservative."

(x) Subdivision (x), subparagraph (3): "Stearyl Citrate Added To Protect Flavor" or "Stearyl Citrate Added as a Preservative."

(2) Where oil is used, the word "oil" may be substituted for "fat" in the label statement. In lieu of the words "animal," "meat," or "vegetable" in any such statement, the common or usual name of the fat ingredient may be used. If two or more of the optional ingredients named in subdivisions (i), (ii), (iii), (iv), (viii), (ix), and (x) of subparagraph (3) of paragraph (a) of this section are used, the words "added" or "with added" need appear only once, either at the beginning or end of the list of such ingredients declared. The declaration of vitamin A may include the number of United States Pharmacopoeia Units which have been added.

(3) Whenever the name "oleomargarine" or "margarine" appears on the label so conspicuously as to be easily seen under customary conditions of purchase, the words and statements prescribed in this section showing ingredients used shall immediately and conspicuously precede or follow, or in part precede and in part follow, such name, without intervening written, printed, or other graphic matter.

**§ 28.2 Corned beef hash; identity; label statement of optional ingredients.** (a) Corned beef hash is the semi-solid meat food product in the form of a compact mass which is prepared with beef, potatoes, curing agents, seasoning, and any of the optional ingredients listed under paragraph (b) of this section, in accordance with the provisions of subparagraphs (1), (2), (3), and (4) of this paragraph and the provisions of paragraph (c) of this section.

(1) Either fresh beef, cured beef, or canned corned beef, or a mixture of two or more of these ingredients, may be used, and the finished product shall contain not less than 35 percent of beef computed on the weight of the cooked and trimmed beef. The weight of the cooked meat used in this calculation shall not exceed 70 percent of the weight of the uncooked fresh meat.

(2) Potatoes refers to fresh potatoes, dehydrated potatoes, cooked dehydrated potatoes, or a mixture of two or more of these ingredients.

(3) Curing agents refers to either salt, sodium nitrate, sodium nitrite, potassium nitrate, or potassium nitrite, or a combination of two or more of these ingredients. When sodium nitrate, sodium nitrite, potassium nitrate, or potassium nitrite is used it shall be used in amounts not exceeding those specified in § 18.7 (k) of this subchapter.

(4) Seasoning refers to salt, sugar (sucrose or dextrose), spice, and/or flavoring, including essential oils, oleoresins, and other spice extractives.

(b) Corned beef hash may contain one or more of the following optional ingredients:

(1) Beef cheek meat and beef head meat from which the overlying glandular and connective tissues have been removed, and beef heart meat, exclusive of the heart cap, may be used individually or collectively to the extent of 5 percent of the meat ingredient.

(2) Onions, including fresh onions, dehydrated onions, or onion powder.

(3) Garlic, including fresh garlic, dehydrated garlic, or garlic powder.

(4) Water.

(5) Beef broth or beef stock.

(6) Monosodium glutamate.

(7) Hydrolyzed plant protein.

(8) Beef fat.

(c) The finished product shall not contain more than 15 percent fat nor more than 72 percent moisture.

(d) (1) The label shall bear the name "corned beef hash."

(2) When any ingredient specified in paragraph (b) (1) of this section is used, the label shall bear the following applicable statement: Beef cheek meat constitutes 5 percent of the meat ingredient, or beef head meat constitutes 5 percent of the meat ingredient, or beef heart meat constitutes 5 percent of the meat ingredient. When two or more of the ingredients are used the words "constitutes 5 percent of meat ingredient" need only appear once.

(3) Whenever the words "corned beef hash" are featured on the label so conspicuously as to identify the contents, the statements prescribed in subparagraph (2) of this paragraph shall immediately and conspicuously precede or follow such name without intervening written, printed, or other graphic matter.

**§ 28.3 Chopped ham; identity; optional ingredients; labeling.** (a) Chopped ham is the semi-solid meat food product, in the form of a compact mass with a limited amount of cooked out juices, which is prepared with ham, curing agents, seasonings and any of the optional ingredients listed in paragraph (b) of this section, in accordance with the provisions of subparagraphs (1), (2), and (3) of this paragraph.

(1) Fresh ham, cured ham, or smoked ham, or a mixture of two or more of such meat components may be used. The weight of the cured chopped ham prior to processing shall not exceed the weight of the fresh uncured ham and fresh uncured ham shank meat if any is used, exclusive of the bones and fat removed in the boning operations, plus the weight of the curing ingredients and 3 percent moisture.

(2) The curing agents which may be used, singly or in combination, are salt, sodium nitrate, sodium nitrite, potassium nitrate, and potassium nitrite. When sodium nitrate, sodium nitrite, potassium nitrate or potassium nitrite is used, singly or in combination, the amount thereof shall not exceed that permitted in § 18.7 (k) of this subchapter.

(3) The seasonings which may be used, singly or in combination, are salt, sugar (sucrose or dextrose), spice, and flavoring, including essential oils, oleo resins and other spice extractives.

(b) Chopped ham may contain one or more of the following optional ingredients:

(1) Finely chopped ham shank meat (fresh, cured or smoked, or a combination thereof) to the extent of not more than 25 percent over that normally present in the boneless ham.

(2) Water, for the purpose of dissolving the curing agents, and not in excess of the amount permitted in paragraph (a) (1) of this section.

(3) Monosodium glutamate.

(4) Hydrolyzed plant protein.

(5) Corn syrup solids, corn syrup and glucose syrup, singly or in combination, in an amount not to exceed 2 percent (calculated on a dry basis) of all the ingredients used in preparing the chopped ham.

(6) Disodium phosphate, sodium hexametaphosphate, sodium tripolyphosphate, sodium pyrophosphate, and sodium acid pyrophosphate, singly or in combination, in an amount



not to exceed that permitted in § 18.7 (r) of this subchapter.

(7) Ascorbic acid, sodium ascorbate, isoascorbic acid or sodium isoascorbate in amount not to exceed that permitted in § 18.7 (s) of this subchapter.

(8) Dehydrated onions or onion powder.

(9) Dehydrated garlic or garlic powder.

(c) The label shall bear the name "chopped ham".

## PART 29—INSPECTION AND HANDLING OF HORSE MEAT AND PRODUCTS THEREOF<sup>12</sup>

Sec.

29.1 Establishments required to have inspection.

29.2 Slaughter of horses and preparation of meat thereof; separate establishments.

29.3 Affections requiring condemnation on ante-mortem or post-mortem inspection; glanders and dourine suspects.

29.4 Horse carcasses, meat and meat food products thereof; marking and labeling.

29.5 Horse meat or meat food products thereof; domestic meat labels.

29.6 Export horse meat and horse-meat products; stamps and certificates.

29.7 Horse-meat certificates for Norway.

29.8 Certification of horse meat for The Netherlands.

29.9 Applicability of meat inspection regulations with respect to domestic horse meat and horse meat food products.

29.10 Eligibility of foreign countries for importation of horse meat and horse meat food products into the United States.

29.11 Imported horse meat and horse meat food products; foreign certificates required.

29.12 Applicability of meat inspection regulations to importation of horse meat and horse meat food products.

29.13 Imported horse meat and horse meat food products to be handled and transported as domestic

29.14 Definitions.

### § 29.1 Establishments required to have inspection.

Every establishment in the United States in which horses are slaughtered for transportation or sale as articles of interstate or foreign commerce, or in which carcasses, parts of carcasses, meat, or meat food products of, or derived from horses are, wholly or in part, canned, cured, smoked, salted, packed, rendered, or otherwise prepared for transportation or sale as articles of interstate or foreign commerce which are capable of being used as food for man, shall have inspection under the provisions of Parts 1 through 29 of this subchapter.

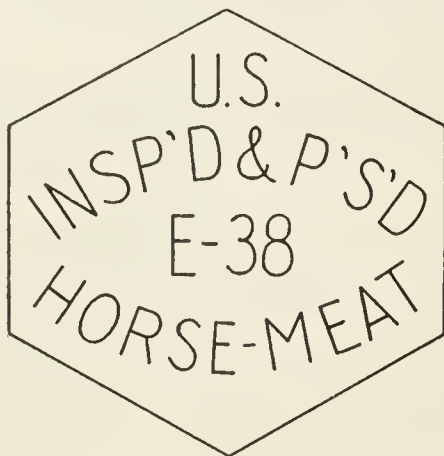
<sup>12</sup> Horse Meat Act; 21 U. S. C. 96 (41 Stat. 241) (see p. 194).

**§ 29.2 Slaughter of horses and preparation of meat thereof; separate establishments.** The slaughter of horses and the preparation and handling of the meat and meat food products thereof shall be conducted in establishments separate and apart from any establishment in which cattle, sheep, swine, or goats are slaughtered, or the meat or meat food products thereof are prepared or handled.

**§ 29.3 Affections requiring condemnation on ante-mortem or post-mortem inspection; glanders and dourine suspects.** (a) All horses found upon either ante-mortem or post-mortem inspection or examination to be affected with strangles, purpura hemorrhagica, azoturia, infectious equine encephalomyelitis, toxic encephalomyelitis (forage poisoning), infectious anemia (swamp fever), dourine, acute influenza, generalized osteoporosis, glanders, farcy, or other malignant disorder, acute inflammatory lameness or extensive fistula, shall be condemned.

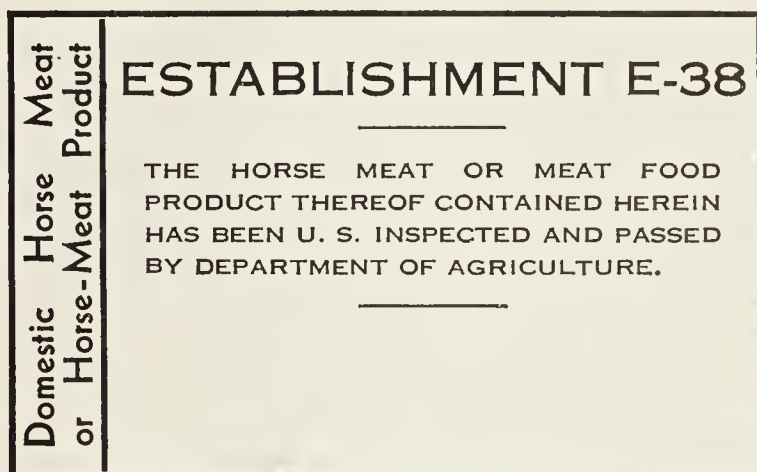
(b) Any horse which is suspected on ante-mortem inspection of being infected with glanders shall be tested with mallein; and any horse which on physical examination is suspected of being affected with dourine shall be held for further examination or for such test as the director of division may prescribe.

**§ 29.4 Horse carcasses, meat and meat food products thereof; marking and labeling.** All horse carcasses, parts of carcasses, meat and meat food products thereof shall be conspicuously labeled, marked, branded, or tagged "horse meat" or "horse-meat product." (See illustration below.)



Only green ink shall be used in branding horse meat and horse-meat product with the mark of inspection.

**§ 29.5 Horse meat or meat food products thereof; domestic meat labels.** The domestic meat labels for horse meat or meat food products thereof shall be printed with black ink on *light green paper* of good quality, shall be  $2\frac{3}{4}$  by 4 inches in size and shall be in form and substance as illustrated below, except that the name and address of the establishment, or the name only, may also be printed on the label, at the bottom thereof:



**§ 29.6 Export horse meat and horse-meat products; stamps and certificates.** Numbered stamps and certificates printed on paper light green in color, to be known as export horse-meat stamps and certificates, shall be issued to identify all horse meat and meat food products thereof packed for export. Such stamp or stamps and certificate shall be issued for each consignment of horse meat or meat food product thereof forwarded from the United States.

**§ 29.7 Horse-meat certificates for Norway.** In accordance with the regulations of Norway, export certificates for horse meat or horse-meat product exported from the United

States to Norway are required to be visaed by Norwegian consuls in the United States.

**§ 29.8 Certification of horse meat for The Netherlands.** Inspectors will issue Form MI 412-9 for horse meat and horse-meat product destined to The Netherlands, in addition to the export horse-meat certificates.

**§ 29.9 Applicability of meat inspection regulations with respect to domestic horse meat and horse meat food products.** All of the provisions of Parts 1 through 29 of this subchapter, unless specifically inapplicable, are hereby made applicable to establishments required to have inspection under § 29.1, to such inspection service, and to the transportation from any State or Territory or the District of Columbia to any other State or Territory or the District of Columbia, or to any place under the jurisdiction of the United States, or to any foreign country, of horse meat and horse meat food products, capable of being used as food for man.

**§ 29.10 Eligibility of foreign countries for importation of horse meat and horse meat food products into the United States.** (a) Whenever it shall be determined that the system of horse meat inspection maintained by any foreign country is the substantial equivalent of, or is as efficient as, the system established and maintained by the United States, and that reliance can be placed upon certificates required under this part from authorities of such foreign country, notice of that fact will be given by including the name of such foreign country in paragraph (b) of this section, and thereafter horse meat and horse meat food products as to which the foreign inspection and certification is determined to be sufficient shall be eligible for importation into the United States from such foreign country, as provided in paragraph (b) of this section. Horse meat and horse meat food products from foreign countries not listed in paragraph (b) of this section are not eligible for importation into the United States. The listing of any foreign country under this section may be withdrawn whenever it shall be determined (1) that the system of horse meat inspection maintained by such foreign country is not the substantial equivalent of, or is not as efficient as, the system established and maintained by the United States, or that reliance can-



not be placed upon certificates required under this part from authorities of such foreign country; or (2) that, for lack of current information concerning the system of horse meat inspection being maintained by such foreign country or for any other reason, such foreign country should reestablish its eligibility for listing.

(b) It has been determined that horse meat and horse meat food products from the following foreign countries covered by foreign horse meat inspection certificates of the country of origin as required by § 29.11 are eligible for importation into the United States after inspection and marking as required by the applicable provisions of Parts 1 through 29 of this subchapter and upon compliance with any requirements of the Animal Inspection and Quarantine Division of the Mexico Agricultural Research Service.

**§ 29.11 Imported horse meat and horse meat food products; foreign certificates required.** Except as provided in § 27.6 (e) of this subchapter, each consignment containing any horse meat or horse meat food products capable of being used as food for man consigned to the United States from a foreign country shall be accompanied with a foreign horse meat inspection certificate in the following form:

FOREIGN OFFICIAL HORSE MEAT INSPECTION CERTIFICATE

Place -----

(City) (Country)

(Date)

I hereby certify that the horse meat and horse meat food products herein described were derived from horses which received ante-mortem and post-mortem veterinary inspections at the time of slaughter, and that such horse meat and horse meat food products are sound, healthful, wholesome, and otherwise fit for human food, and have not been treated with, and do not contain, any preservative, coloring matter, or other substance not permitted by the regulations governing the horse meat inspection of the United States Department of Agriculture, filed with me, and that said horse meat and horse meat food products have been handled only in a sanitary manner in this country.

Kind of product	Number of pieces or packages	Weight
-----	-----	-----
-----	-----	-----
-----	-----	-----
-----	-----	-----

Identification marks on horse meat and packages :

Consignor -----

Address -----

Consignee -----

Destination -----

Shipping marks -----

(Signature) -----

(Name of official of national foreign government authorized to issue inspection certificates for horse meat and horse meat food products exported to the United States.)

(Official title) -----

### **§ 29.12 Applicability of meat inspection regulations to importation of horse meat and horse meat food products.**

In addition to other sections of this part which apply to the importation of horse meat and horse meat food products, capable of being used as food for man, § 29.4, all of the provisions of Part 27 of this subchapter (except §§ 27.1; 27.2; 27.6 (a), (f), (g), and (h); 27.18; and 27.20 (a) and (c)), and all of the provisions of other parts of this subchapter as specified in said Part 27 which are applicable to horse meat and horse meat food products under § 29.9, are hereby made applicable to the importation of such horse meat and horse meat food products.

**§ 29.13 Imported horse meat and horse meat food products to be handled and transported as domestic.** All imported horse meat and horse meat food products, capable of being used as food for man, after admission into the United States in compliance with this part shall be deemed and treated and shall be handled and transported as domestic horse meat and horse meat food products, and shall be subject to the provisions of Parts 1 through 29 of this subchapter which are applicable to domestic horse meat and horse meat food products, and to the provisions, prohibitions, and penalties of the Horse Meat Act and the Meat Inspection Act as made applicable to horse meat and horse meat food products. Imported horse meat and horse meat food products which have been inspected, passed, and marked under this part may be transported from one State or Territory or the District of Columbia to another State or Territory or the District of Columbia, or to any place under the jurisdiction of the United States, or to a foreign country, only upon compliance with all of the provisions of Part 25 of this subchapter, except §§ 25.10 and 25.11, as if said provisions referred to horses, horse meat and horse meat food products.

**§ 29.14 Definitions.** As used in this part:

(a) The term "United States" includes Alaska, Hawaii, and Puerto Rico.

(b) The term "horse meat food product" and the term "horse-meat product" include horse meat byproduct.

#### PART 40—IDENTIFICATION AND CERTIFICATION SERVICE FOR MEAT AND OTHER PRODUCT

Sec.

40.1 Meaning of words.

40.2 Definitions.

40.3 Kind of service.

40.4 Availability of service.

40.5 Application for service.

40.6 Denial or withdrawal of service.

40.7 Fees and charges.

§ 40.1 **Meaning of words.** Words used in this part in the singular form shall be deemed to import the plural, and vice versa, as the case may demand.

§ 40.2 **Definitions.** For the purposes of the regulations in this part, unless the context otherwise requires, the following terms shall be construed, respectively, to mean:

(a) **Department.** The United States Department of Agriculture.

(b) **Service.** The Agricultural Research Service of the Department.

(c) **Administrator.** The Administrator of the Service or any officer or employee of the Department to whom authority has heretofore been delegated, or to whom authority may hereafter be delegated, to act in his stead.

(d) **Director.** The Director, Meat Inspection Division of the Service, or any officer or employee of the Department, to whom authority has heretofore been delegated, or to whom authority may hereafter be delegated, to act in his stead.

(e) **Inspector.** Any officer or employee of the Department authorized to perform any duties under the regulations in this part.

(f) **Person.** Any individual, corporation, company, association, firm, partnership, society, or joint stock company, or other organized group of any of the foregoing.

(g) **Federally inspected and passed.** Inspected and passed under the Meat Inspection Act, as amended (21 U. S. C. 71 et seq.) or under the provisions in paragraphs 306 (b) and (c) of the Tariff Act of 1930 (19 U. S. C. 1306 (b) and (c)).

(h) **Official establishment.** An establishment operated under Federal meat inspection pursuant to the Meat Inspection Act, as amended (21 U. S. C. 71 et seq.).

§ 40.3 **Kind of service.** Meat or other product that is federally inspected and passed at an official establishment or upon importation is officially marked at such establishment or the port of entry with sufficient marks of Federal meat inspection to identify, as federally inspected and passed, the carcass, tank carload, or other basic unit constituting the product when it leaves such establishment or is allowed importation. In order to facilitate the division of such carcass, tank carload, or other unit into smaller portions and to maintain the identity of such portions as federally inspected and passed, service may be furnished, upon application, under the regulations in this part to identify such portions as part of a unit which was federally inspected and passed and so marked and to mark such portions with the marks of Federal meat inspection. In order to meet requirements of a purchaser, or of a supplier, or others, that are not imposed or are in addition to those imposed by the regulations in Parts 1 through 29 of this subchapter and the laws under which such regulations were issued, with respect to such carcass, tank carload, or other basic unit, to be exported, service may be furnished, upon application, under the regulations in this part to certify such characteristics of or factors concerning the product as may be requested in the application for service.

§ 40.4 **Availability of service.** Service under the regulations in this part will be available only with respect to meat or other product which is sound, healthful, wholesome, and fit for human food at the time the service would be furnished; which can be identified as a portion of a carcass, tank carload, or other basic unit which was federally inspected and passed and so marked; and, in the case of identification service, which is on premises other than those of an official establishment.

§ 40.5 **Application for service.** Any person who desires to receive service under the regulations in this part for meat or other product eligible therefor under such regulations may make application for service to the Director, upon an application form which will be furnished by the Director upon request.



**§ 40.6 Denial or withdrawal of service.** (a) If any person has applied for service for meat or other product not eligible therefor under the regulations in this part, or has failed to make proper application for service or to pay fees and charges due for service furnished or to be furnished to him under the regulations in this part, or if the service cannot be furnished to any person applying therefor because of lack of available inspectors or other administrative reasons, the service may be denied to such person by the Director until the conditions justifying such denial is corrected.

(b) Service under the regulations in this part may also be denied to any person by the Administrator for such period as he may deem proper, if it is determined, after opportunity for hearing before a proper official in the Department, that such person has been responsible for any willful misrepresentation to the Department concerning any meat or other product for which service has been requested under the regulations, in this part, or that such person has been responsible for the use without authority, or the imitation, of any marks or certificates of Federal meat inspection on or with respect to any meat or other product, or has otherwise been responsible for any fraudulent or deceptive practice with respect to such service, or that such person has interfered with or obstructed any inspector in the performance of his duties under the regulations in this part, or attempted to do so. Pending final determination of the matter, the Director may deny or withdraw service without hearing in those cases where the public interests so require. In other cases prior to the institution of proceedings for denial of service under this paragraph, the facts or conduct which may warrant such action shall be called to the attention of the person involved, in writing, and he shall be given an opportunity to demonstrate or achieve compliance with all applicable requirements.

**§ 40.7 Fees and charges.** (a) Fees and charges for service under the regulations in this part shall be paid by the applicant for the service in accordance with this section, and, if required by the Administrator, the fees and charges shall be paid in advance.

(b) The fees and charges provided for in this section shall be paid by check, draft, or money order payable to the Treasurer of the United States and shall be remitted promptly to the Administrator upon furnishing to the applicant of a statement as to the amount due.

(c) The fees to be charged and collected for service under the regulations in this part shall be at a uniform hourly rate fixed by the Director, Meat Inspection Division, to cover the costs of the service and shall be charged for the time required to render such service, including but not limited to the time required for the travel of the inspector or inspectors in connection therewith during the regularly scheduled administrative workweek.

(d) Charges may also be made to cover the cost of travel and other expenses incurred by the Service in connection with the furnishing of the service.

## LAWS UNDER WHICH THE FOREGOING REGULATIONS ARE MADE

### THE MEAT INSPECTION ACT

Extract from an act of Congress entitled "An act making appropriations for the Department of Agriculture for the fiscal year ending June thirtieth, nineteen hundred and seven," approved June 30, 1906 (34 Stat. 674), and from an act of Congress entitled "An act making appropriations for the Department of Agriculture for the fiscal year ending June thirtieth, nineteen hundred and eight," approved March 4, 1907 (34 Stat. 1260).

[1] That [hereafter,]<sup>1</sup> for the purpose of preventing the use in interstate or foreign commerce, as hereinafter provided, of meat and meat food products which are unsound, unhealthful, unwholesome, or otherwise unfit for human food, the Secretary of Agriculture, at his discretion, may cause to be made, by inspectors appointed for that purpose, an examination and inspection of all cattle, sheep, swine, and goats before they shall be allowed to enter into any slaughtering, packing, meat-canning, rendering, or similar establishment, in which they are to be slaughtered and the meat and meat food products thereof are to be used in interstate or foreign commerce; and all cattle, swine, sheep, and goats found on such inspection to show symptoms of disease shall be set apart and slaughtered separately from all other cattle, sheep, swine, or goats, and when so slaughtered, the carcasses of said cattle, sheep, swine, or goats shall be subject to a careful examination and inspection, all as provided by the rules and regulations to be prescribed by the Secretary of Agriculture as herein provided for.

[2] That for the purposes hereinbefore set forth the Secretary of Agriculture shall cause to be made by inspectors appointed for that purpose, as hereinafter provided, a post-mortem examination and inspection of the carcasses and parts thereof of all cattle, sheep, swine, and goats to be prepared for human consumption at any slaughtering,

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<sup>1</sup> The word "hereafter" is used in the act of 1907 but not in that of 1906. With this exception and the amendment to the Act noted in footnote 2, the extract here given is identical in both laws.

meat-canning, salting, packing, rendering, or similar establishment in any State, Territory, or the District of Columbia for transportation or sale as articles of interstate or foreign commerce; and the carcasses and parts thereof of all such animals found to be sound, healthful, wholesome, and fit for human food shall be marked, stamped, tagged, or labeled as "Inspected and Passed;" and said inspectors shall label, mark, stamp, or tag as "Inspected and Condemned," all carcasses and parts thereof of animals found to be unsound, unhealthful, unwholesome, or otherwise unfit for human food; and all carcasses and parts thereof thus inspected and condemned shall be destroyed for food purposes by the said establishment in the presence of an inspector, and the Secretary of Agriculture may remove inspectors from any such establishment which fails to so destroy any such condemned carcass or part thereof, and said inspectors, after said first inspection shall, when they deem it necessary, reinspect said carcasses or parts thereof to determine whether since the first inspection the same have become unsound, unhealthful, unwholesome, or in any way unfit for human food, and if any carcass or any part thereof shall, upon examination and inspection subsequent to the first examination and inspection, be found to be unsound, unhealthful, unwholesome, or otherwise unfit for human food, it shall be destroyed for food purposes by the said establishment in the presence of an inspector, and the Secretary of Agriculture may remove inspectors from any establishment which fails to so destroy any such condemned carcass or part thereof.

[3] The foregoing provisions shall apply to all carcasses or parts of carcasses of cattle, sheep, swine, and goats, or the meat or meat products thereof which may be brought into any slaughtering, meat-canning, salting, packing, rendering, or similar establishment, and such examination and inspection shall be had before the said carcasses or parts thereof shall be allowed to enter into any department wherein the same are to be treated and prepared for meat food products; and the foregoing provisions shall also apply to all such products which, after having been issued from any slaughtering, meat-canning, salting, packing, rendering, or similar establishment, shall be returned to the same or to any similar establishment where such inspection is maintained.

[4] That for the purposes hereinbefore set forth the Secretary of Agriculture shall cause to be made by inspectors appointed for that purpose an examination and inspection of all meat food products prepared for interstate or foreign commerce in any slaughtering, meat-canning, salting, packing, rendering, or similar establishment, and for the purposes of any examination and inspection said inspectors shall have access at all times, by day or night, whether the establishment be operated or not, to every part of said establishment; and said inspectors shall mark, stamp, tag, or label as "Inspected and Passed" all such products found to be sound, healthful, and wholesome and, which contain no dyes, chemicals, preservatives, or ingredients which render such meat or meat food products unsound, unhealthful, unwholesome, or unfit for human food; and said inspectors shall label, mark, stamp, or tag as "Inspected and Condemned" all such products found unsound, unhealthful, and unwholesome, or which contain dyes, chemicals, preservatives, or ingredients which render

such meat or meat food products unsound, unhealthful, unwholesome, or unfit for human food, and all such condemned meat food products shall be destroyed for food purposes, as hereinbefore provided, and the Secretary of Agriculture may remove inspectors from any establishment which fails to so destroy such condemned meat food products: *Provided*, That, subject to the rules and regulations of the Secretary of Agriculture, the provisions hereof in regard to preservatives shall not apply to meat food products for export to any foreign country and which are prepared or packed according to the specifications or directions of the foreign purchaser, when no substance is used in the preparation or packing thereof in conflict with the laws of the foreign country to which said article is to be exported; but if said article shall be in fact sold or offered for sale for domestic use or consumption, then this proviso shall not exempt said article from the operation of all the other provisions of this act.

[5] That when any meat or meat food product prepared for interstate or foreign commerce which has been inspected as hereinbefore provided and marked "Inspected and Passed" shall be placed or packed in any can, pot, tin, canvas, or other receptacle or covering in any establishment where inspection under the provisions of this act is maintained, the person, firm, or corporation preparing said product shall cause a label to be attached to said can, pot, tin, canvas, or other receptacle or covering, under the supervision of an inspector, which label shall state that the contents thereof have been "Inspected and Passed" under the provisions of this act; and no inspection and examination of meat or meat food products deposited or inclosed in cans, tins, pots, canvas, or other receptacle or covering in any establishment where inspection under the provisions of this act is maintained shall be deemed to be complete until such meat or meat food products have been sealed or inclosed in said can, tin, pot, canvas, or other receptacle or covering under the supervision of an inspector, and no such meat or meat food products shall be sold or offered for sale by any person, firm, or corporation in interstate or foreign commerce under any false or deceptive name: but established trade name or names which are usual to such products and which are not false and deceptive and which shall be approved by the Secretary of Agriculture are permitted.

[6] The Secretary of Agriculture shall cause to be made, by experts in sanitation or by other competent inspectors, such inspection of all slaughtering, meat-canning, salting, packing, rendering, or similar establishments in which cattle, sheep, swine, and goats are slaughtered and the meat and meat food products thereof are prepared for interstate or foreign commerce as may be necessary to inform himself concerning the sanitary conditions of the same, and to prescribe the rules and regulations of sanitation under which such establishments shall be maintained; and where the sanitary conditions of any such establishment are such that the meat or meat food products are rendered unclean, unsound, unhealthful, unwholesome, or otherwise unfit for human food, he shall refuse to allow said meat or meat food products to be labeled, marked, stamped, or tagged as "Inspected and Passed."

[7] That the Secretary of Agriculture shall cause an examination and inspection of all cattle, sheep, swine, and goats, and the food products thereof, slaughtered and prepared in the establishments hereinbefore described for the purposes of interstate or foreign com-



merce to be made during the nighttime as well as during the daytime when the slaughtering of said cattle, sheep, swine, and goats, or the preparation of said food products is conducted during the nighttime.

[8] That on and after October first, nineteen hundred and six, no person, firm, or corporation shall transport or offer for transportation, and no carrier of interstate or foreign commerce shall transport or receive for transportation from one State or Territory or the District of Columbia to any other State or Territory or the District of Columbia, or to any place under the jurisdiction of the United States, or to any foreign country, any carcasses or parts thereof, meat, or meat food products thereof which have not been inspected, examined, and marked as "Inspected and Passed," in accordance with the terms of this act and with the rules and regulations prescribed by the Secretary of Agriculture: *Provided*, That all meat and meat food products on hand on October first, nineteen hundred and six, at establishments where inspection has not been maintained, or which have been inspected under existing law, shall be examined and labeled under such rules and regulations as the Secretary of Agriculture shall prescribe, and then shall be allowed to be sold in interstate or foreign commerce.

[9] That no person, firm, or corporation, or officer, agent, or employee thereof, shall forge, counterfeit, simulate, or falsely represent, or shall without proper authority use, fail to use, or detach, or shall knowingly or wrongfully alter, deface, or destroy, or fail to deface or destroy, any of the marks, stamps, tags, labels, or other identification devices provided for in this act, or in and as directed by the rules and regulations prescribed hereunder by the Secretary of Agriculture, on any carcasses, parts of carcasses, or the food product, or containers thereof, subject to the provisions of this act, or any certificates in relation thereto, authorized or required by this act or by the said rules and regulations of the Secretary of Agriculture.

[10] That the Secretary of Agriculture shall cause to be made a careful inspection of all cattle, sheep, swine, and goats intended and offered for export to foreign countries at such times and places, and in such manner as he may deem proper, to ascertain whether such cattle, sheep, swine, and goats are free from disease.

[11] And for this purpose he may appoint inspectors who shall be authorized to give an official certificate clearly stating the condition in which such cattle, sheep, swine, and goats are found.

[12] And no clearance shall be given to any vessel having on board cattle, sheep, swine, or goats for export to a foreign country until the owner or shipper of such cattle, sheep, swine, or goats has a certificate from the inspector herein authorized to be appointed, stating that the said cattle, sheep, swine, or goats are sound and healthy, or unless the Secretary of Agriculture shall have waived the requirements of such certificate for export to the particular country to which such cattle, sheep, swine, or goats are to be exported.

[13] That the Secretary of Agriculture shall also cause to be made a careful inspection of the carcasses and parts thereof of all cattle, sheep, swine, and goats, the meat of which, fresh, salted, canned, corned, packed, cured, or otherwise prepared, is intended and offered for export to any foreign country, at such times and places and in such manner as he may deem proper.

[14] And for this purpose he may appoint inspectors who shall be authorized to give an official certificate stating the condition in which said cattle, sheep, swine, or goats, and the meat thereof, are found.

[15] And no clearance shall be given to any vessel having on board any fresh, salted, canned, corned, or packed beef, mutton, pork, or goat meat, being the meat of animals killed after the passage of this act, or except as hereinbefore provided for export to and sale in a foreign country from any port in the United States, until the owner or shipper thereof shall obtain from an inspector appointed under the provisions of this act a certificate that the said cattle, sheep, swine, and goats were sound and healthy at the time of inspection, and that their meat is sound and wholesome unless the Secretary of Agriculture shall have waived the requirements of such certificate for the country to which said cattle, sheep, swine, and goats or meats are to be exported.

[16] That the inspectors provided for herein shall be authorized to give official certificates of the sound and wholesome conditions of the cattle, sheep, swine, and goats, their carcasses and products as herein described, and one copy of every certificate granted under the provisions of this act shall be filed in the Department of Agriculture, another copy shall be delivered to the owner or shipper, and when the cattle, sheep, swine, and goats or their carcasses and products are sent abroad, a third copy shall be delivered to the chief officer of the vessel on which the shipment shall be made.

[17] That no person, firm, or corporation engaged in the interstate commerce of meat or meat food products shall transport or offer for transportation, sell or offer to sell any such meat or meat food products in any State or Territory or in the District of Columbia or any place under the jurisdiction of the United States, other than in the State or Territory or in the District of Columbia or any place under the jurisdiction of the United States in which the slaughtering, packing, canning, rendering, or other similar establishment owned, leased, operated by said firm, person, or corporation is located unless and until said person, firm, or corporation shall have complied with all of the provisions of this act.

[18] That any person, firm, corporation, or any officer or agent of any such person, firm, or corporation, who shall violate any of the provisions of this act shall be deemed guilty of a misdemeanor, and shall be punished on conviction thereof by a fine of not exceeding ten thousand dollars or imprisonment for a period of not more than two years, or by both such fine and imprisonment, in the discretion of the court.

[19] That the Secretary of Agriculture shall appoint from time to time inspectors to make examination and inspection of all cattle, sheep, swine, and goats, the inspection of which is hereby provided for, and of all carcasses and parts thereof, and of all meats and meat food products thereof, and of the sanitary conditions of all establishments in which such meat and meat food products hereinbefore described are prepared; and said inspectors shall refuse to stamp, mark, tag or label any carcass or any part thereof, or meat food product therefrom, prepared in any establishment hereinbefore mentioned, until the same shall have actually been inspected and found to be sound, healthful, wholesome, and fit for human food, and to contain no dyes, chemicals, preservatives, or ingredients which render such meat food product unsound, unhealthful, unwholesome, or unfit for human food; and to

have been prepared under proper sanitary conditions, hereinbefore provided for; and shall perform such other duties as are provided by this act and by the rules and regulations to be prescribed by said Secretary of Agriculture; and said Secretary of Agriculture shall, from time to time, make such rules and regulations as are necessary for the efficient execution of the provisions of this act, and all inspections and examinations made under this act shall be such and made in such manner as described in the rules and regulations prescribed by said Secretary of Agriculture not inconsistent with the provisions of this act.

[20] That any person, firm, or corporation, or any agent or employee of any person, firm, or corporation, who shall give, pay, or offer, directly or indirectly, to any inspector, deputy inspector, chief inspector, or any other officer or employee of the United States authorized to perform any of the duties prescribed by this act or by the rules and regulations of the Secretary of Agriculture any money or other thing of value, with intent to influence said inspector, deputy inspector, chief inspector, or other officer or employee of the United States in the discharge of any duty herein provided for, shall be deemed guilty of a felony and, upon conviction thereof, shall be punished by a fine not less than five thousand dollars nor more than ten thousand dollars and by imprisonment not less than one year nor more than three years; and any inspector, deputy inspector, chief inspector, or other officer or employee of the United States authorized to perform any of the duties prescribed by this act who shall accept any money, gift, or other thing of value from any person, firm, or corporation, or officers, agents, or employees thereof, given with intent to influence his official action, or who shall receive or accept from any person, firm, or corporation engaged in interstate or foreign commerce any gift, money, or other thing of value given with any purpose or intent whatsoever, shall be deemed guilty of a felony and shall, upon conviction thereof, be summarily discharged from office and shall be punished by a fine not less than one thousand dollars nor more than ten thousand dollars and by imprisonment not less than one year nor more than three years.

[21] <sup>2</sup> That within the meaning of this act—

(a) A "farmer" means any person or partnership chiefly engaged in producing agricultural products on whose farm the number of cattle, calves, sheep, lambs, swine, or goats is in keeping with the size of the farm or with the volume or character of the agricultural products produced thereon, but does not mean any person or partnership engaged in producing agricultural products who—

(1) actively engages in buying or trading in cattle, calves, sheep, lambs, swine, or goats; or

(2) actively engages, directly or indirectly, in conducting a business which includes the slaughter of cattle, calves, sheep, lambs, swine, or goats for food purposes; or

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<sup>2</sup> This paragraph is the amendment approved June 29, 1938 (52 Stat. 1235, to the Meat Inspection Act, and is therefore substituted for the concluding paragraph of the act as originally enacted. A retail butcher or a retail dealer must apply and qualify for a certificate of exemption from inspection before doing an interstate meat business.



(3) actively engages, directly or indirectly, in buying or selling meat or meat food products other than those prepared by any farmer on the farm; or

(4) actively engages, directly or indirectly, in salting, curing, or canning meat, or in preparing sausage, lard, or other meat food products; or

(5) slaughters, or permits any person to slaughter, on his or their farm cattle, calves, sheep, lambs, swine, or goats which are not actually owned by him or them.

(b) A "retail butcher" means any person, partnership, association, or corporation chiefly engaged in selling meat or meat food products to consumers only, except that the Secretary of Agriculture, at his discretion, may permit any retail butcher to transport in interstate or foreign commerce to consumers and meat retailers in any one week not more than five carcasses of cattle, twenty-five carcasses of calves, twenty carcasses of sheep, twenty-five carcasses of lambs, ten carcasses of swine, twenty carcasses of goats, or twenty-five carcasses of goat kids, or the equivalent of fresh meat therefrom, and to transport in interstate or foreign commerce to consumers only meat and meat food products which have been salted, cured, canned, or prepared as sausage, lard, or other meat food products, and which have not been inspected, examined, and marked as "Inspected and Passed" in accordance with the terms of the Meat Inspection Act of March 4, 1907, and Acts supplemental thereto, and with the rules and regulations prescribed by the Secretary of Agriculture.

(c) A "retail dealer" means any person, partnership, association, or corporation chiefly engaged in selling meat or meat food products to consumers only except that the Secretary of Agriculture, at his discretion, may permit any retail dealer to transport in interstate trade or foreign commerce to consumers and meat retailers in any one week not more than five carcasses of cattle, twenty-five carcasses of calves, twenty carcasses of sheep, twenty-five carcasses of lambs, ten carcasses of swine, twenty carcasses of goats, or twenty-five carcasses of goat kids, or the equivalent of fresh meat therefrom, and to transport in interstate or foreign commerce to consumers only meat and meat food products which have been salted, cured, canned, or prepared as sausage, lard, or other meat food products which have not been inspected, examined, and marked as "Inspected and Passed" in accordance with the terms of the Meat Inspection Act of March 4, 1907, and Acts supplemental thereto, and with the rules and regulations prescribed by the Secretary of Agriculture.

That the provisions of the Meat Inspection Act of March 4, 1907, requiring inspection to be made by the Secretary of Agriculture shall not apply to animals slaughtered by any farmer on the farm and sold and transported in interstate or foreign commerce, nor to retail butchers and retail dealers in meat and meat food products, supplying their customers: *Provided*, That all meat and meat food products derived from animals slaughtered by any farmer on the farm which are salted, cured, canned, or prepared into sausage, lard, or other meat food products at any place other than by the farmer on the farm upon which the animals were slaughtered shall not be transported in interstate or foreign commerce under the farmers' exemption herein



provided, and all fresh meat and all farm-cured or prepared meat and meat products derived from animals slaughtered by any farmer on the farm which are to be used in interstate or foreign commerce shall be clearly marked with the name and address of the farmer on whose farm the animals were slaughtered: *Provided further*, That if any person shall sell or offer for sale or transportation for interstate or foreign commerce any meat or meat food products which are diseased, unsound, unhealthful, unwholesome, or otherwise unfit for human food, knowing that such meat food products are intended for human consumption, he shall be guilty of a misdemeanor and on conviction thereof shall be punished by a fine not exceeding \$1,000 or by imprisonment for a period of not exceeding one year, or by both such fine and imprisonment: *And provided further*, That the Secretary of Agriculture is authorized to maintain the inspection in this Act provided for at any slaughtering, meat canning, salting, packing, rendering, or similar establishment notwithstanding this exception, and that the persons operating the same may be retail butchers and retail dealers or farmers; and where the Secretary of Agriculture shall establish such inspection then the provisions of this Act shall apply notwithstanding this exception.

## THE IMPORTED MEAT ACT

Extract from an act of Congress entitled "An act to provide revenue, to regulate commerce with foreign countries, to encourage the industries of the United States, to protect American labor, and for other purposes," approved June 17, 1930 (Public No. 361, 71st Cong.).

### TITLE III—SPECIAL PROVISIONS

#### PART I—MISCELLANEOUS

*	*	*	*	*
SEC. 306.	* * *	Meats—importation prohibited in certain cases.		
*	*	*	*	*

(b) Meats unfit for human food.—No meat of any kind shall be imported into the United States unless such meat is healthful, wholesome, and fit for human food and contains no dye, chemical, preservative, or ingredient which renders such meat unhealthful, unwholesome, or unfit for human food, and unless such meat also complies with the rules and regulations made by the Secretary of Agriculture. All imported meats shall, after entry into the United States in compliance with such rules and regulations, be deemed and treated as domestic meats within the meaning of and subject to the provisions of the act of June 30, 1906 (Thirty-fourth Statutes at Large, p. 674), commonly called the "meat inspection amendment," and the act of June 30, 1906 (Thirty-fourth Statutes at Large, p. 768), commonly called the "food and drugs act," and acts amendatory of, supplementary to, or in substitution for such acts.

(c) Regulations.—The Secretary of Agriculture is authorized to make rules and regulations to carry out the purposes of this section, and in such rules and regulations the Secretary of Agriculture may prescribe the terms and conditions for the destruction of all \* \* \*

meats, offered for entry and refused admission into the United States, unless such \* \* \* meats be exported by the consignee within the time fixed therefor in such rules and regulations.

\* \* \* \* \*

SEC. 653. Effective date of act.—Except as otherwise provided, this act shall take effect on the day following the date of its enactment.

### HORSE MEAT ACT

Extract from an act of Congress entitled "An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1920," approved July 24, 1919 (41 Stat. 241).

For additional expenses in carrying out the provisions of the meat-inspection act of June 30, 1906 (Thirty-fourth Statutes at Large, p. 674), as amended by the act of March 4, 1907 (Thirty-fourth Statutes at Large, p. 1256), there is hereby appropriated for the fiscal year ending June 30, 1920, \$903,960, of which sum \$100,000 may be used for the inspection of equine meat in the manner provided in said act, as amended. And hereafter, no person, firm, or corporation, or officer, agent, or employee thereof, shall transport or offer for transportation, and no carrier of interstate or foreign commerce, shall transport or receive for transportation from one State or Territory or the District of Columbia to any other State or Territory, or the District of Columbia or to any place under the jurisdiction of the United States or to any foreign country any of such meat or food products thereof unless plainly and conspicuously labeled, marked, branded, or tagged "Horse-meat" or "Horse-meat Product" as the case may be, under such rules and regulations as may be prescribed by the Secretary of Agriculture. All the penalties, terms, and provisions in said act, as amended, except the exemption therein applying to animals slaughtered by any farmer on a farm, to retail butchers and retail dealers in meat food products supplying their customers, are hereby made applicable to horses, their carcasses, parts of carcasses, and meat food products thereof, and the establishments and other places where such animals are slaughtered or the meat or meat food products thereof are prepared or packed for the interstate or foreign commerce, and to all persons, firms, corporations and officers, agents and employees thereof who slaughter such animals or prepare or handle such meat or meat food products for interstate or foreign commerce.

### REGULAR OVERTIME ACT

Extract from an act of Congress entitled "An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1920," approved July 24, 1919 (41 Stat. 241).

\* \* \* That, hereafter, the Secretary of Agriculture is authorized, in his discretion, to pay employees of the Bureau of Animal Industry employed in establishments subject to the provisions of the Meat Inspection Act of June 30, 1906, for all overtime work performed at such establishments, at such rates as he may determine, and to accept from such establishments wherein such overtime work is performed reimbursement for any sums paid out by him for such overtime work.

## IMPORT AND EXPORT INSPECTION OVERTIME ACT

Extract from Public Law 735, 81st Congress (5 U. S. C. 576, 64 Stat. 561), entitled "An act to enable the Secretary of Agriculture to furnish, upon a reimbursable basis, certain inspection services involving overtime work," approved August 28, 1950.

\* \* \* the Secretary of Agriculture is authorized to pay employees of the United States Department of Agriculture performing inspection or quarantine services relating to imports into and exports from the United States, for all overtime, night, or holiday work performed by them at any place where such inspection and quarantine services are performed, at such rates as he may determine, and to accept from persons for whom such work is performed reimbursement for any sums paid out by him for such work.





# INDEX

	Section	Page
Abrasions, removal of parts affected.....	11.15	45
Acetic acid, in preparation of rendered fats.....	18.7 (i)	98
Actinomycosis and actinobacillosis, carcasses affected with.....	11.10	43
Administrator, definition.....	1.1 (c)	1
Agricultural Research Service, definition.....	1.1 (d)	1
Algeria:		
export certificate, requirement for.....	24.3 (a)	123
form to accompany export certificate.....	24.3 (c)	123
special form for animal casings exported to.....	24.5 (c)	133
Anaplasmosis:		
animals showing symptoms of.....	9.6 (a)	24
carcasses affected with.....	11.35	53
carcasses classed as recovered cases.....	11.35 (b)	53
Anasarca:		
carcasses affected with.....	11.9	43
cattle affected with.....	9.10	27
Animal, definition.....	1.1 (s)	3
Animal casings. <i>See</i> Casings.		
Animal fat, use of term.....	17.8 (c) (50)	86
Ante-mortem inspection:		
all animals to be inspected before slaughter.....	9.1 (a)	21
animals showing symptoms of various diseases, marked condemned.....	9.6 (a)	24
carcasses of animals slaughtered without.....	12.1	54
detailed requirements.....	9.1-9.18	21
equipment furnished by establishments.....	7.5	11
hyperimmune swine.....	9.7 (g), (h)	25
pens for.....	9.1 (b)	21
suspects, animals marked as.....	9.1 (c)	22
Anthrax:		
animal of a lot in which disease found.....	9.9 (b)	26
animals affected with, marked U. S. condemned.....	9.9 (a)	26
animals treated with vaccine (live organisms).....	9.9 (c), (d)	26
carcasses affected with.....	11.11	43
carcasses and all parts of affected animals, condemned for.....	10.9 (b)	32
carcasses found affected with before evisceration.....	10.9 (a)	32
cleaning and disinfecting exposed pens and drive-ways.....	9.9 (e)	26
disinfectants for.....	10.9 (e)	32
disposition of condemned product at establishments without tanking facilities.....	14.4 (b)	57
parts of carcasses contaminated with infected material, condemned.....	10.9 (c)	32
scalding vat water, disposal of.....	10.9 (d)	32
slaughtering departments cleaning and disinfection of.....	10.9 (e)	32

	Section	Page
Antioxidants:		
labeling of product containing	17.9 (d)	88
use in sausage	16.13 (e), 18.7 (t)	67, 101
Appeals from meat-inspection actions	21.1	118
Application(s):		
false statements in	4.2 (d)	5
for inspection or exemption	4.1-4.6	5
information to be furnished with	4.2	5
plans with complete drawings to accompany applications for inspection	4.2 (a)	5
refusal, or revocation of prior approval	4.2 (d)	5
subsidiaries, information concerning	4.2 (b)	5
Aprons and other outer clothing, to be of material readily cleansed	8.8 (d)	19
Argentina:		
export certificate, requirement for	24.3 (a)	123
product eligible for importation from	27.2 (b)	153
visa requirement for export certificate	24.3 (b)	123
Arthritis and polyarthritis, carcasses affected with	11.8	42
Artificial coloring. <i>See</i> Coloring, artificial.		
Artificial flavoring:		
conditions of acceptance	18.7 (1)	99
labeling requirements, for products containing	17.9 (c)	88
of oleomargarine	28.1 (a) (3)	171
Ascorbate, sodium, in cooked, cured comminuted product	18.7 (s)	101
Ascorbic acid, in cooked, cured, comminuted product	18.7 (s)	101
Australia:		
product eligible for importation from	27.2 (b)	153
special form for animal casings exported to	24.5 (b)	133
Austria, special form for animal casings exported to	24.5 (b)	133
Bacillary hemoglobinuria in cattle, carcasses affected with	11.11	43
Bacterial starters, harmless, used in preparation of sausage	18.7 (p)	100
Badge, furnished for identification	6.3	9
Baked, use of term in labeling	17.8 (c) (10)	80
Barrels. <i>See</i> Slack barrels.		
Beans with Bacon in Sauce, content of	17.8 (c) (46)	85
Beans with Frankfurters in Sauce, content of	17.8 (c) (45)	85
Beans with Ham in Sauce, content of	17.8 (c) (46)	85
Beef briskets, application of curing solution	17.8 (c) (52)	86
Beef cod fat, marking with inspection legend	16.10 (b)	64
Beef heart, marking with inspection legend	16.10 (b)	64
Beef kidney fat, marking with inspection legend	16.10 (b)	64
Beef with Barbecue Sauce, content of	17.8 (c) (48)	85
Beef with Gravy, content of	17.8 (c) (51)	86
Belgium:		
animal casings destined to	24.5 (c), (d)	133
export certificate, form to accompany	24.3 (c)	123
product eligible for importation from	27.2 (b)	153
Bicarbonate of soda, permissible in preparation of rendered fats	18.7 (i)	98
Biological laboratories, specimens sent to	11.1 (b)	38
Blackleg, carcasses affected with	11.11	43

	Section	Page
Blood:		
beef, fresh, addition of citric acid or sodium citrate to-----	18.7 (o)	100
clotted, removal from hog hearts, requirement regarding-----	18.6 (b) (11)	96
contaminated, not to be saved for food-----	18.6 (b) (8)	96
defibrination with hands forbidden-----	18.6 (b) (8)	96
hog blood not permissible ingredient-----	18.6 (b) (8)	96
identity to be preserved pending completion post-mortem inspection-----	10.2	30
Boneless pork loins and loin ends, treatment for destruction of trichinae-----	18.10 (c) (3) (v)	111
Bone splinters:		
in spinal cords-----	18.6 (b) (1)	95
removal from product intended for chopping-----	18.6 (b) (2)	95
Borax packed meat:		
instructions for handling-----	18.8	101
permissible for export, marking-----	17.9 (e)	88
Brands and branding. <i>See</i> Marking.		
Brazil, product eligible for importation from-----	27.2 (b)	153
Breakfast sausage, content of-----	17.8 (e) (40)	84
Bribes-----	23.1	119
Bromelin, for treating casings-----	18.6 (a) (9)	95
Brucellosis, removal of parts affected-----	11.16	45
Brucine, for denaturing rendered inedible fats-----	14.2	57
Bruised parts, handling-----	10.14	34
Bruises, condemnation of parts affected-----	11.15	45
Butylated hydroxyanisole:		
in unsmoked dry sausage-----	18.7 (t)	101
to improve stability of fats-----	18.7 (d) (5)	97
Butylated hydroxytoluene, to improve stability of fats-----	18.7 (d) (6)	97
Burlap wrapping for meat:		
import product-----	27.11	163
not permitted unless meat first wrapped with paper or cloth-----	8.11	19
Canada:		
export certificate, requirement for-----	24.3 (a), (e)	123, 124
product eligible for importation from-----	27.2 (b)	153
shipping marks for animal casings exported to-----	24.5 (e)	133
special form for animal casings exported to-----	24.5 (b)	133
special requirements for product exported to-----	24.4 (a)	125
Canned product(s):		
contaminated by flood water, handling-----	18.14 (c)	116
embossing establishment number on container, exception-----	17.2 (d)	75
importation into United States-----	27.3 (f)	154
imported, inspection instructions-----	27.14	164
marking of cans to show contents and date canned-----	18.11 (f)	113
showing external characteristics of sound cans-----	18.11 (e)	113
Canning:		
containers, cleaning of-----	18.11 (a)	112
containers, washing of-----	18.11 (b)	112

	Section	Page
Canning—Continued		
defective containers, handling	18.11 (d)	112
identity of lots, to assure proper heat processing	18.11 (h)	113
incubation facilities	18.11 (i)	114
perfect closure, requirement for containers	18.11 (c)	112
processing requirement	18.11 (g)	113
Capocollo, treatment for destruction of trichinae	18.10 (c) (3) (ii)	109
Carbon, in preparation of rendered fats	18.7 (i)	98
Carcass(es):		
and parts in certain instances to be retained	10.3	31
and parts passed for cooking	15.1	60
definition	1.1 (t)	3
dressed with skin or hide on	10.10	34
inflation with air prohibited	10.13	34
marking with inspection legend	16.10 (a)	64
passing and marking	10.8	32
Carotenosis, livers affected with	11.33 (a)	52
Caseous lymphadenitis:		
carcasses affected with, prohibited exportation to certain countries	24.2 (c) (6)	132
disposition of carcasses and parts	11.19	46
Casings:		
artificial coloring	16.13 (d)	66
fat surface to be exposed for inspection	18.6 (a) (6)	95
infected with parasites, disposal of	18.6 (a) (7)	95
labeling requirement, exception	17.1 (a)	71
limited to those from cattle, sheep, swine, or goats, as containers	18.6 (a) (4)	94
marking of meat food products in	16.13	65
meat food products in, resembling sausage	16.13 (b)	66
special requirements for exportation	24.5, 24.6	133, 136
stuffing, to be carefully cleaned and inspected before	18.6 (a) (5)	94
treatment of	18.6 (a) (9)	95
(See also Artificial coloring.)		
Catalysts, in preparation of rendered fats	18.7 (i)	98
Catchbasins, construction, location, and acceptable condition	8.13	20
Cats, excluded from establishments	8.3 (h)	17
Caustic soda:		
in preparation of fats	18.7 (i)	98
in preparation of tripe	18.7 (j)	98
Certificates for interstate shipment:		
farmer product	25.11	144
filing by carrier	25.15	150
import product for consignee's personal use	27.18 (c)	168
inspected and marked product	25.5	139
inspected product, unmarked	25.6	140
product exempted from inspection	25.10	143
requirements for	25.1, 25.3	137, 138



Certificates for interstate shipment—Continued	Section	Page
returned products	25.13	146
uninspected, or inspected meat known to be unsound	25.14	148
waybills, evidence of proper certification	25.12	145
Chemicals, dyes, and preservatives:		
permissible, list of	18.7 (m)	99
those prohibited not permissible in official establishment	18.6 (b) (9)	96
( <i>See also</i> Preservatives.)		
Chili con carne:		
content of	17.8 (c) (27)	82
with beans, meat content of	17.8 (c) (28)	83
Chlorination, reused water for cooling canned product	8.3 (d) (2)	15
Chopped ham, identity and ingredients	28.3	176
Chop Suey Vegetables with Meat, content of	17.8 (c) (47)	85
Chow Mein Vegetables with Meat, content of	17.8 (c) (47)	85
Citric acid:		
in oleomargarine	28.1 (a) (3)	171
to improve stability of fats	18.7 (d) (9)	97
to prevent coagulation of blood	18.7 (o)	100
Colombia:		
export certificate required for	24.3 (a)	123
special form for lard exported to	24.3 (f)	124
visa requirement for export certificate	24.3 (b)	123
Coloring, artificial:		
casings, marking requirements	16.13 (d)	66
in import products	27.3 (b)	154
labeling requirements for products in casings	17.9 (b)	88
of edible fats	17.9 (a)	88
of oleomargarine	28.1 (a) (3)	171
permissible list of	18.7 (m)	99
Colors:		
natural, acceptable	18.7 (m) (1)	99
synthetic, acceptable	18.7 (m) (2)	99
Comatose, animals affected, marked U. S. condemned	9.3 (d)	23
Condemned:		
carcasses affected with—		
actinomycosis or actinobacillosis	11.10	43
acute inflammation	11.17	45
anaplasmosis	11.35 (a)	53
anasarca or generalized edema	11.9 (a)	43
anthrax	11.11	43
bacillary hemoglobinuria in cattle	11.11	43
blackleg	11.11	43
caseous lymphadenitis, generalized	11.19	46
cysticercus bovis, excessive infestation	11.24 (d)	49
cysticercus cellulosae, excessive infestation	11.25	50
enteritis, gangrenous or severe hemorrhagic	11.17	45
epithelioma of the eye of cattle	11.13	44
gastritis, gangrenous or severe hemorrhagic	11.17	45
hemorrhagic septicemia	11.11	43
hog cholera, acute	11.4	41
icterohematuria in sheep	11.11	43

## Condemned—Continued

carcasses affected with—Continued	Section	Page
icterus, associated with secondary change	11.20	47
immaturity	11.30	52
leptospirosis	11.37 (a)	54
leukemia, generalized	11.14	45
lymphoma, generalized	11.14	45
malignant epizootic catarrh	11.11	43
malignant neoplasms	11.12	44
mammitis or acute diffuse metritis	11.17	45
mange or scab, associated with secondary change	11.22	47
melanosis, generalized	11.14	45
metritis, acute diffuse, or mammitis	11.17	45
necrobacillosis, associated with secondary change	11.18	46
pericarditis, septic or purulent	11.17	45
phlebitis, of the umbilical vein	11.17	45
piroplasmosis	11.11	43
pseudoleukemia, generalized	11.14	45
pyemia	11.11, 11.17, 11.18	43, 46,
septicemia	11.11, 11.17, 11.18	43, 45,
		46
swine erysipelas, acute	11.6	42
tuberculosis	11.3	39
unhealed vaccine lesions (vaccinia)	11.11	43
urine or sexual odor	11.21	47
vesicular exanthema or vesicular stomatitis, acute	11.34 (a)	53
emaciated or anemic carcasses	11.27	51
product at establishments having no tanking facilities	14.4 (a)	57
products to remain in custody of division employee	10.5	31
suffocated animals and hogs scalded alive	11.32	52
tanking carcasses and product	14.1 (a)	56
unborn, or stillborn animals	11.31	52
(See also U. S. condemned, and U. S. inspected and condemned.)		

## Containers:

bearing inspection legend, for products too small to be branded	16.12	65
consumer size, self-service counters	17.2 (f)	75
immediate, definition of	1.1 (y)	3
inedible grease, marking	16.18	70
inspection legend affixed to, only under supervision	16.3	62
not to bear false or misleading statements	17.6	77
product to comply with labeling	17.1 (c)	71
sausage	16.13 (f)	67
second-hand, removal of marks	17.10 (b)	89
shipping or outside, definition of	1.1 (z)	3

## Contamination:

accidental, reinspection of product for	18.1 (a) (1)	91
by flood water	18.14	116

	Section	Page
Contamination—Continued		
by pus, parts of carcasses affected, condemned	11.15	45
by tuberculous material, parts affected, condemned	11.3 (b) (3)	40
parts in contact with diseased carcasses, condemned	11.17 (b)	46
perspiration, hair, cosmetics	8.8 (e)	19
reinspection of product	18.1 (a) (1)	91
Continental Europe, export certificates required for	24.3 (a)	123
Cooked cured product, preparation	17.8 (c) (54)	87
Cooperation with local authorities	22.1, 22.2	119
Coppa, treatment for destruction of trichinae	18.10 (c) (3) (iii)	109
Corned beef, content of	17.8 (c) (42)	84
Corned beef hash, identity and labeling	28.2	174
Corn syrup and corn syrup solids, limitation in certain products	18.7 (q)	100
Costa Rica, product eligible for importation from	27.2 (b)	153
Counterfeiting	23.2	120
Coverings:		
false or misleading, prohibited	17.8 (c) (5)	79
not to bear false or misleading statements	17.6	77
not to be of such color or design as to be misleading	17.8 (c) (5)	79
plain wrappers for meat, labeling exception	17.1 (a)	71
protective, for product	8.9	19
transparent, labeling exception	17.1 (a)	71
Cripples and downers, treated as suspects	9.4	23
Cuba:		
export certificate required for	24.3 (a)	123
product eligible for importation from	27.2 (b)	153
Curing solution added to beef cuts	17.8 (c) (52)	86
<i>Cysticercus</i> :		
<i>bovis</i> , carcasses affected with	11.24 (d)	49
<i>cellulosae</i> , carcasses affected with	11.25	50
<i>ovis</i> , carcasses affected with	11.26 (b)	50
Czechoslovakia, product eligible for importation from	27.2 (b)	153
Dead animals:		
from causes other than slaughter, not permitted in edible product departments	13.4 (b)	55
other than those which have died en route, not to be brought on premises without permission	13.4 (a)	55
Definition and standard of identity:		
labeling to conform with	17.3	75
marking with list of ingredients not required in certain cases	16.14	67
oleomargine	28.1	170
Definitions of terms used in regulations	1.1	1
Demodex folliculorum, hog carcasses affected with	11.23	47
Denaturing:		
inedible rendered fat	14.2	57
livers, condemned because of parasitic infestation and other causes	14.6	58

	Section	Page
Denaturing—Continued		
uninspected, or inspected product known to be		
unsound, interstate shipment	25.14	148
Denmark, product eligible for importation from	27.2 (b)	153
Department, definition	1.1 (c)	1
Devised:		
ham, moisture content restriction	17.8 (c) (38)	84
meat food product, content of	17.8 (c) (39)	84
tongue, moisture content of	17.8 (c) (38)	84
Diacetyl in oleomargarine	28.1 (a) (3)	171
Diamond-skin disease, carcasses affected with	11.7	42
Diatomaceous earth, in preparation of rendered fats	18.7 (i)	98
Diglycerides:		
added to fats, labeling of product	17.8 (c) (43)	85
permissible in fats	18.7 (c)	97
Diseased carcasses and parts, handling of	8.8 (c)	18
Diseased persons, employment of	8.14	20
Disposal of diseased carcasses and parts	11.1–11.37	38
Division:		
definition	1.1 (f)	1
employees, definition	1.1 (h)	1
Docks, for receiving meats	7.5 (j)	13
Dog food:		
interstate transportation	25.14 (c)	149
preparation in official establishments	18.12	114
Dogs, excluded from establishments	8.3 (h)	17
Domestic meat label(s):		
containers of product too small to be branded	16.12	65
fiberboard shipping containers	17.2 (b)	72
horse meat and product	29.5	179
illustration	16.15	69
shipping containers	16.15	68
Dominican Republic:		
export certificate to be issued in quadruplicate		
for	24.3 (g)	124
product eligible for importation from	27.2 (b)	153
visa requirement for export certificate	24.3 (b)	123
Drawings. <i>See</i> Plans.		
Dressing rooms:		
for inspectors, at establishments	7.1	10
general requirements for	8.4 (a)	17
Ecuador:		
special certification for lard exported to	24.3 (h)	124
visa required for export certificate	24.3 (b)	123
Educational uses, shipment of product for	18.17, 25.17	118, 151
Emergency slaughter, inspection prior to	9.15	28
Employee(s):		
access to establishments	6.2	9
assignments	6.1	9
assignment where member of family employed	6.4	9
badge as identification of	6.3	9
brands, to have custody of	16.4, 16.8	62, 64
communicable diseases	8.14	20



Employee(s)—Continued	Section	Page
facilities at establishments for	7.1	10
purchase of product from official establishment	23.1 (b)	120
England and Wales, product eligible for importation from	27.2 (b)	153
Enteritis, carcasses affected with	11.17	45
Enzymes:		
restrictions on use to treat casings	18.6 (a) (9)	95
used on meat cuts	17.8 (c) (56)	87
Epithelioma of the eye of cattle:		
animals affected with, marked U. S. condemned	9.8 (a)	25
animals suspected of being affected with, on ante-mortem inspection	9.8 (b)	25
carcasses affected with	11.13	44
Equipment:		
cleansing and sterilizing of	7.5 (f)	12
condemned product, trucks or receptacles	7.5 (e)	12
for inedible product, marking of	8.5	17
lard and rendered pork fat, used interchangeably for	18.6 (a) (3)	94
oleomargarine, pumps and pipes used in manufacture of	18.6 (a) (2)	94
pens and equipment for ante-mortem inspection	7.5 (a)	11
racks and receptacles	7.5 (c)	11
scabbards for knives	8.6	18
tables and benches	7.5 (d)	12
tagging, U. S. rejected	8.15	20
to be easily cleaned	8.5	17
Erythema, hog carcasses affected with	11.23	47
Establishments:		
animals and product entering, inspection requirements	2.2	4
facilities and conditions to be provided by	7.5, 8.3	11, 14
facilities for inspectors at	7.1	10
horse slaughtering:		
requiring inspection	2.3	4
to be separate and apart	29.2	178
inspectors to have access to	6.2	9
living quarters, separate from official	5.2 (b)	8
maintained in clean condition	8.13	20
official numbers	5.1	7
overtime work at	7.4	11
requiring inspection	2.1	4
separation of official from unofficial	5.2 (a)	7
subsidiary	4.2 (b), 5.1 (c)	5, 7
Establishment number, embossed or lithographed on sealed containers	17.2 (d)	75
Exemption:		
application for	4.1	5
certificate	4.3 (a), (d)	6
granted by director of division	4.2 (d)	5
holders of, limited to supplying own customers	4.4	6
information to be furnished	4.3 (b)	6
inspection for violations	4.6	7
retail butchers and dealers, requirements	4.3 (a)	6

	Section	Page
Exemption—Continued		
sanitary requirements.....	8.3	14
transportation interstate of products coming under.....	25.10	143
trichinae, destruction of, requirements applicable.....	18.10 (e)	112
withdrawal of, by director of division.....	4.3 (c)	6
Export:		
casings for.....	24.5, 24.6	133, 136
certificates, issuance of.....	24.2 (a)	121
inedible animal products.....	24.6	136
inspections of products of other official establishments.....	24.2 (h)	123
labels printed in foreign language.....	17.7	77
preservatives permitted in product for.....	18.8	101
preservative stamps and certificates.....	24.8	136
rubber brand in lieu of stamps, for marking products.....	24.1 (c)	121
stamps and certificates, requirements.....	24.1-24.8	121
transferring product from tank cars.....	16.17	70
uninspected tallow, stearin, oleo oil, inedible, certification for.....	24.7	136
vessels not to clear for foreign commerce without required certification.....	24.3 (a)	123
Export certificate(s):		
changes permissible for Federal agencies.....	24.2 (b)	122
distinctive color for—		
inedible animal products.....	24.6	136
product packed with preservative.....	24.8	136
distribution of.....	24.2 (d), (e), (f), (g)	122, 123
erasures not permissible.....	24.2 (i)	123
for horse meat.....	29.6	179
horse meat for Norway.....	29.7	179
horse meat for The Netherlands.....	29.8	180
instructions for filling out.....	24.2 (j)	123
issuance of in serial numbers.....	24.2 (b)	122
new, replacing originals.....	24.2 (c)	122
official seal to appear on special forms.....	24.3 (d)	123
quadruplicate issued upon request.....	24.2 (b)	122
regular blue animal-casings certificate, issuance of for certain countries.....	24.5 (a)	133
requirement for export to foreign countries..	24.2 (a), 24.3 (a)	121, 123
special form to accompany consignments to certain countries.....	24.3 (c)	123
visa requirement, for certain countries.....	24.3 (b)	123
Export stamp(s):		
affixing of.....	24.1 (b)	121
distinctive color for—		
inedible product.....	24.6	136
product packed with preservative.....	24.8	136
horse meat.....	29.6	179

Export stamp(s)—Continued	Section	Page
required for export product.....	24.1 (a)	121
tank cars and railroad cars.....	24.1 (d)	121
Facilities and conditions:		
aprons to be of material readily cleansed.....	8.8 (d)	19
cleansing and sterilizing.....	7.5 (f), 8.4 (d)	12, 17
denaturing materials.....	7.5 (i)	13
docks and receiving rooms.....	7.5 (j)	13
drainage and plumbing system.....	8.3 (c)	15
dressing and toilet rooms.....	8.4 (a)	17
final inspection places.....	7.5 (g)	12
lavatory accommodations.....	8.4 (b)	17
light, abundant.....	7.5 (b), 8.3 (b)	11, 14
lockers for brands.....	7.5 (k)	13
pens, equipment and assistants for ante-mortem inspection.....	7.5 (a)	11
protective coverings for product.....	8.9	19
racks, receptacles, or other device.....	7.5 (c)	11
requirements for inspection.....	7.1-7.6	10
rooms and compartments to be clean and sanitary.....	7.5 (h), 8.3 (f), 8.7	12, 16, 18
tables, benches, and other equipment.....	7.5 (d)	12
toilet soil lines separate from house drainage lines.....	8.4 (e)	17
trucks or receptacles for condemned products.....	7.5 (e)	12
U. S. retained, rooms for.....	7.5 (h)	12
water supply.....	8.3 (d)	15
Farm:		
carcasses of animals slaughtered without ante-mortem inspection, entering official establishments.....	12.1	54
certification for interstate shipment of product prepared on.....	25.11	144
dressed meats, shipments of.....	4.5	6
inspection for violations.....	4.6	7
use of terms "farm," "country," and the like on labels.....	17.8 (c) (2)	79
Fat(s):		
edible—		
artificial coloring of.....	17.9 (a)	88
for use in oleomargarine.....	28.1 (a)	170
mixed with lard.....	17.8 (c) (23)	82
rendered, container to be labeled before or immediately after filling.....	17.8 (c) (26)	82
rendered, not to contain water, except oleomargarine and puff-pastry shortening.....	17.8 (c) (25)	82
rendered, use of terms "Animal Fat" and "Meat Fat".....	17.8 (c) (50)	86
fuel oil, for denaturing rendered inedible fats.....	14.2	57
inedible—		
denaturing of.....	16.18	70
importation requirements for, having characteristics of edible product.....	27.3 (e)	154
not possessing characteristics of edible product, importation.....	27.4	155

Fat(s)—Continued		
inedible—Continued	Section	Page
receivable at inedible tank room only-----	13.5	55
rendered, denaturing-----	14.2	57
substances used in rendered fat-----	18.7 (i)	98
transfer from a fat to lean carcass, prohibited---	10.13	34
uninspected, to be exported as inedible-----	24.7	136
Federal Food, Drug, and Cosmetic Act:		
foods subject to-----	26.1 (a)	151
product exempt from-----	26.1 (b)	151
Ferries, deemed carriers-----	25.2	138
Finland, product eligible for importation from-----	27.2 (b)	153
Fish feed:		
livers condemned because of parasitic infestation, denaturing for-----	14.6 (a, b, c)	58, 59
livers condemned because of telangiectasis, angio- ma, and other conditions, denaturing for-----	14.6 (d)	59
marking containers of-----	14.6 (e)	59
Flies, excluded from establishments-----	8.3 (g)	16
Flood waters, contamination of product by-----	18.14	116
Flour, vegetable starch, etc., in sausage-----	18.7 (g)	98
Fluke infestation, livers condemned for-----	14.6 (a)	58
Folders:		
labeling requirements-----	17.1 (b)	71
Food and Drug Administration, reports to concerning unsound product bearing inspection mark found out- side official establishments-----	18.3	93
Forging, counterfeiting, improper use or handling of inspection marks-----	23.2	120
France:		
animal casings, export certificate-----	24.5 (f)	133
form to accompany export certificate-----	24.3 (c)	123
pork livers exported to-----	24.4 (b)	130
product eligible for importation from-----	27.2 (b)	153
French Antilles, export certificate required for-----	24.3 (a)	123
Fresh, not applicable to product containing preserva- tive-----	17.8 (c) (6)	79
Frozen product:		
defrosting-----	18.1 (b) (2)	92
packing in hermetically sealed containers-----	18.1 (b) (1)	92
product to be in good condition when placed in freezer-----	18.1 (b)	92
Fuel oil, for denaturing rendered inedible fats-----	14.2	57
Fuller's earth, in preparation of rendered fat-----	18.7 (i)	98
Gastritis, carcasses affected with-----	11.17	45
Gelatin, definition, as used on labels-----	17.8 (c) (8)	80
Geographical terms used in labeling-----	17.8 (c) (1)	78
Germany, product eligible for importation from-----	27.2 (b)	153
Glanders, inspections for-----	29.3	178
Glands and organs for pharmaceutical and other pur- poses-----	18.15, 25.17	117, 151
Glucose syrup, limitation in certain products-----	18.7 (q)	100



	Section	Page
Goats:		
brucellosis-reactor, not to be slaughtered in official establishment.....	9.17	29
Gravy with Beef, content of.....	17.8 (c) (51)	86
Great Britain:		
export certificate required for.....	24.3 (a)	123
requirements for animal casings exported to.....	24.5 (g)	133
special requirements for product exported to.....	24.4 (c)	130
Guatemala, visa requirement for export certificate.....	24.3 (b)	123
Haiti, visa requirement for export certificate.....	24.3 (b)	123
Ham:		
definition of term.....	17.8 (c) (13)	80
means pork ham.....	17.8 (c) (13)	80
not applicable to ham shanks or trimmings..	17.8 (c) (13)	80
preparation of for canning.....	18.7 (u)	100
pressed, preparation.....	17.8 (c) (55)	87
treatment for destruction of trichinae... 18.10 (c) (3) (iv)		110
Hamburger, composition of.....	17.8 (c) (35)	83
Ham and tongue spread, content of.....	17.8 (c) (37)	84
Hash, meat content of.....	17.8 (c) (29)	83
Head(s):		
identity to be preserved until completion post-mortem inspection.....	10.2	30
processing of.....	18.6 (b) (3)	95
Hemorrhagic septicemia, carcasses affected with.....	11.11	43
Hermetically sealed containers, instructions concerning.....	18.6 (a) (1)	94
Hides, interstate transportation of.....	25.17	151
Hog cholera:		
carcasses affected with.....	11.4	41
swine affected with, marked "U. S. condemned".....	9.7 (a)	24
swine, other than hyperimmune, antemortem inspection for.....	9.7 (e), (f)	25
swine suspected of being affected with, handling.....	9.7 (b), (c), (d)	24, 25
Hog lungs, not to be saved as edible product.....	10.17 (b)	36
Hogs. <i>See</i> Swine.		
Honduras, product eligible for importation from.....	27.2 (b)	153
Hoofs and horns, interstate transportation of.....	25.17	151
Horse meat:		
applicability of meat inspection regulations to importation.....	29.12	182
certificates covering import shipments.....	29.11	181
definitions.....	29.14	182
eligibility of foreign countries for exportation to United States.....	29.10	180
imported, to be handled as domestic.....	29.13	182
Horse-Meat Act, text.....		194
Horse-meat inspection:		
affections requiring condemnation.....	29.3	178
brand, illustration.....	29.4	178
certification for Norway.....	29.7	179
certification for The Netherlands.....	29.8	180
domestic meat labels.....	29.5	179
export stamps and certificates.....	29.6	179

	Section	Page
Horse-meat inspection—Continued		
marking and labeling-----	29.4	178
meat inspection regulations, applicability-----	29.9	180
Horse slaughtering establishments:		
requiring inspection-----	2.3, 29.1	4, 177
separate and apart from other establishments-----	29.2	178
Hours of operation at official establishments:		
designation of by inspector in charge-----	7.3	10
notification by establishment when work concluded for day-----	7.2	10
overtime work of meat inspection employees-----	7.4	11
under supervision of division employee-----	7.2	10
Hydatid or fringed tapeworm, livers condemned be- cause of infestation with-----	14.6 (b)	59
Hydrogen peroxide, in preparation of tripe-----	18.7 (j)	98
Hyperimmune swine:		
ante-mortem inspection-----	9.7 (g), (h)	25
bled before entering establishment-----	10.16	35
identity to be maintained-----	10.16	35
Hypochlorite:		
for disinfecting after contact with anthrax-in- fected material-----	10.9 (e) (1)	33
for disinfecting after floods-----	18.14 (c) (2)	117
Ice. <i>See</i> Water.		
Iceland, product eligible for importation from-----	27.2 (b)	153
Icterohematuria in sheep, carcasses affected with-----	11.11	43
Icterus, carcasses showing any degree of-----	11.20	47
Identification and Certification Service:		
application for-----	40.5	184
availability of-----	40.4	184
definitions-----	40.2	183
denial or withdrawal of-----	40.6	185
fees and charges-----	40.7	185
furnished upon application-----	40.3	184
Imitation:		
labeling requirements-----	17.8 (b)	78
meat food products in casings, bearing characteris- tics of sausage-----	16.13 (b)	66
Immaturity:		
animals showing signs of, on ante-mortem inspec- tion-----	9.5	23
carcasses condemned for-----	11.30	52
Immediate or true container, definition-----	1.1 (y)	3
Import certificates:		
description of consignment-----	27.6 (c)	156
foreign certificates, acceptability of-----	27.6 (e)	156
horse meat-----	29.11	181
instructions concerning-----	27.6 (b)	156
pork products-----	27.6 (f), (g), (h)	157, 158
specified form for-----	27.6 (a)	155
to be delivered to inspector at place of inspection-----	27.6 (d)	156

Import product:	Section	Page
after entry to be handled as domestic.....	27.20	169
applications for inspection of.....	27.7	158
breaking bulk of.....	27.16 (c)	166
burlap wrappings used on.....	27.11	163
canned, inspection instructions... 27.3 (f), 27.8 (n), 27.14	160, 164	154, 161
canned, shelf size, incubation of.....	27.8 (q)	161
carcasses and parts of carcasses.....	27.12 (c)	163
certificates required for.....	27.6	155
chilled fresh meat.....	27.8 (1)	160
condemnation of unwholesome.....	27.12 (d)	163
entry prohibited if foreign inspection not equivalent of that in the United States.....	27.2 (a)	152
equipment of conveyances.....	27.10	163
facilities for inspection.....	27.9 (g)	162
foreign countries from which eligible upon certification.....	27.2 (b)	153
general requirements.....	27.1-27.21	152
handled as domestic after entry.....	27.20	169
identifying as inspected and passed.....	27.12 (e)	164
import-meat seals.....	27.9	161
inedible rendered fats.....	27.3 (e), 27.4	154, 155
inspections of.....	27.8	158
labeling requirements.....	27.3 (c)	154
marked inspected and passed.....	27.12 (e)	164
marking and labeling requirements.....	27.16, 27.17	166, 167
marking of carcasses and parts.....	27.15 (d)	166
meat trimmings in pieces too small for inspection.....	27.3 (d)	154
movement prior to inspection.....	27.9 (d), (e), (f)	162
must conform with regulations.....	27.5	155
personal use of consignee.....	27.18	168
preservative and coloring requirements.....	27.3 (b)	154
prohibited entry if of a kind restricted for sale in country of origin.....	27.3 (a)	154
receipts for samples.....	27.13	164
refused entry.....	27.15 (a), (b)	165
removal of product not marked.....	27.15 (c)	166
reports at border points.....	27.8 (o)	161
reports to customs concerning.....	27.15	165
rubber stamps for marking Customs papers.....	27.8 (p)	161
sample inspection of frozen fresh meat.....	27.8 (m)	160
sanitary handling, requirement.....	27.10	163
shipper's certificate required for transportation of specimens for laboratory examination.....	25.3	138
U. S. inspected and condemned, inspection stamp.....	27.21	170
U. S. refused entry, inspection stamp.....	27.12 (d)	163
Imported Meat Act:		
applies only to product derived from cattle, sheep, swine, and goats.....	27.1	152

Imported Meat Act—Continued		Section	Page
definition.....		1.1 (b)	1
text.....			193
Inedible grease, marking.....		16.18	70
Inedible products:			
compartments and rooms for, separate and distinct from those used for edible products.....		8.3 (e)	16
departments, maintenance in acceptably clean condition.....		8.13	20
fat, inedible, receivable only at inedible tank room.....		13.5	55
fat, rendered, denaturing of.....		14.2	57
marking of containers for.....		8.5	17
stamps and certificates of distinctive color for export of.....		24.6	136
uninspected tallow, stearin, oleo oil, exportation of.....		24.7	136
Inflation of carcass with air, prohibited.....		10.13	34
Ingredient(s):			
and substances to be clean, sound and fit for human food.....		18.6 (b)	95
blood, for meat food products, requirements.....		18.6 (b) (8)	96
flavorings, designation.....		16.14	67
ham fat in deviled ham, permissible amount.....		17.8 (c) (38)	84
hog blood not edible.....		18.6 (b) (8)	96
intestines not to be used as.....		18.6 (b) (10)	96
kidneys, preparation and inspection.....		18.6 (b) (4)	95
listing of in order of predominance.....		17.2 (b) (2)	73
list of, labeling requirement.....		17.2 (b)	72
marking product with list of.....		16.14	67
of sausage.....		18.7 (f), (g), (h)	97, 98
paunches and stomachs, preparation of.....		18.6 (b) (6)	96
product fabricated from two or more.....		16.14, 17.2 (b)	67, 72
salt, sugar, corn sugar, and others, addition to product.....		18.7 (b)	96
spices, designation.....		16.14	67
spinal cords not permissible as ingredient of edible product.....		18.6 (b) (1)	95
terms, descriptive, labeling requirements.....		17.2 (b) (2)	73
testicles not permissible as.....		18.6 (b) (5)	96
to be approved by director of division.....		18.7 (a)	96
water limitation in meat loaf and luncheon meat.....		18.7 (e)	97
Injured animals, slaughter of at unusual hours.....		11.29	51
Ink:			
for marking product, furnished by establishment.....		16.7 (a)	63
green, restrictions on use of.....		16.7 (a) (3)	64
ingredients, harmless and approved.....		16.7 (a)	63
purple, only, permissible for marking carcasses.....		16.7 (a) (1)	63
samples, submittal of.....		16.7 (a)	63
Inspection:			
application for.....		4.1	5
establishments requiring.....		2.1	4
for violations.....		4.6	7
granting of.....		4.2 (c)	5



Inspection—Continued		Section	Page
horse meat and products	29.1–29.14		177
inauguration of	5.4		8
not begun unless requirements met	5.3		8
withdrawal for violation of regulations	5.5		8
<i>(See also Reinspection.)</i>			
Inspection legend:			
all inspected and passed product, marking with	16.10 (b)		64
approval of abbreviations of marks of inspection	16.1		61
brands bearing inspection legend, in custody of inspector	16.4		62
brands furnished by the division, keeping of under lock	16.8		64
carcasses, inspected and passed, marking	16.10 (a)		64
definition	1.1 (r)		3
illustration—			
and instructions concerning	17.2 (b)	72, 73	
brand or device	16.4		63
domestic meat label	16.15		69
horse-meat brand	29.4		178
horse-meat, domestic meat label	29.5		179
marking devices, approval requirements	16.2		62
mark of inspection, circular in form	16.4		62
meat food products in casings, marking	16.13		65
mixtures containing product but not classed as coming under Meat Inspection Act	18.13		116
primal parts of carcasses and products, marking with	16.10 (b)		64
removal of original mark on reinspection and condemnation of product	18.1, 18.2	91, 92	
requirements pertaining to labels	17.2 (b)		72
reuse of, regulation against	17.10 (a)		89
stencils not to bear	17.2 (c)		74
to be carefully applied and securely affixed	16.6		63
to be clearly and legibly applied to product	16.5		63
use permissible only under supervision	16.3		62
Inspection sticker, affixed to labels	17.2 (e)		75
Inspector:			
definition	1.1 (g)		1
implements to be furnished by	7.6		13
maintenance, hands and implements, in sanitary condition	7.6		13
<i>(See also Employees.)</i>			
Inspector in charge, designation of	6.1		9
Intestines:			
fermenting not permitted in official establishments	18.6 (a) (8)		95
not permissible as ingredients	18.6 (b) (10)		96
Ireland:			
animal casings destined to	24.5 (h)		134
export certificate required for	24.3 (a)		123
product eligible for importation from	27.2 (b)		153
Isopropyl citrate in oleomargarine	28.1 (a) (3)		171

	Section	Page
Italy:		
product eligible for importation from	27.2 (b)	153
special certification for oleo oil exported to	24.3 (i)	124
visa requirement for export certificate	24.3 (b)	123
Jobbers, shipments by	25.4	139
Kidneys, preparation for use as ingredient of product	18.6 (b) (4)	95
Labeling:		
approval of	17.4	75
bearing inspection legend, distribution	17.13	90
compliance with regulations	17.11	89
containers of import product	27.16, 27.17	166, 167
detailed requirements for	17.1-17.14	71
false or deceptive names	17.8 (a)	78
horse meat and product	29.4	178
information required on	17.2	72
modification of approved	17.5	76
printed in foreign language	17.7	77
relabeling	17.12	89
removal of on reinspection and condemnation of product	18.1, 18.2	91, 92
rescindment of approvals	17.14	90
tank cars of edible products	16.16	69
Laboratory examination, shipment of product for	18.17, 25.17	118, 151
Lamb, spring, labeling of	17.8 (c) (4)	79
Lard:		
labeling farm style not permissible unless open kettle rendered	17.8 (c) (2)	79
labeling	17.8 (c) (18)	81
leaf lard	17.8 (c) (19)	81
mixed with rendered pork fat	17.8 (c) (21)	82
Laundry, service	7.1	10
Lecithin:		
oleomargarine, ingredient in	28.1 (a) (3)	171
to improve stability of fats	18.7 (d) (4)	97
Leukemia, carcasses affected with	11.14	45
Leptospirosis:		
animals reacting to test for	9.6 (b)	24
animals showing symptoms of	9.6 (a)	24
carcasses of animals affected with	11.37 (a)	54
carcasses passed if no evidence of disease	11.37 (b)	54
Lima beans with ham in sauce, content of	17.8 (c) (46)	85
Lime, in preparation of tripe	18.7 (j)	98
Listerellosis:		
animals showing symptoms of	9.6 (a)	24
carcasses passed after condemnation of head	11.36	54
Lithographed labels, paper take-offs, approval	17.4 (b)	76
Livers:		
carotenosis, affected with	11.33 (a)	52
condemned on account of—		
fluke infestation, denaturing of for fish feed	14.6 (a)	58
hydatids or fringed tapeworms, denaturing of for fish feed	14.6 (b)	59

## Livers—Continued

	Section	Page
condemned on account of—Continued		
parasites other than flukes, hydatids, or fringed tapeworms, treatment of for fish feed	14.6 (c)	59
telangiectasis, angioma, sawdust, and other conditions, handling of for fish feed	14.6 (d)	59
cooking required	11.33 (c)	53
marking with inspection legend	16.10 (b) (c)	64
sawdust, spotted, or telangiectatic conditions	11.33 (b)	52
Liver products, content of	17.8 (c) (36)	84
Loaves:		
browned in hot edible oil or flame	17.8 (c) (11)	80
meat, water limitation in	18.7 (e)	97
preparation when so labeled	17.8 (c) (9)	80
Local authorities:		
cooperation with	22.1	119
definite cooperative arrangements with	22.2	119
Luncheon meat, water limitation	18.7 (e)	97
Lungs:		
acute inflammation of	11.17	45
calf, cattle, and sheep, inspection of	10.17 (a)	35
hog, not saved as edible	10.17 (b)	36
Luxembourg, product eligible for importation from	27.2 (b)	153
Lymphoma, carcasses affected with	11.14	45
Madagascar, product eligible for importation from	27.2 (b)	153
Malignant epizootic catarrh, carcasses affected with	11.11	43
Malignant neoplasms:		
carcasses affected with	11.12	44
epithelioma of the eye of cattle	11.13	44
Mammary glands. ( <i>See</i> Udders.)		
Mammitis, carcasses affected with	11.17	45
Mange or scab, post-mortem inspection and disposal of carcasses affected with	11.22	47
Marking:		
approval of abbreviations of marks of inspection	16.1	61
approval of brands and devices furnished by establishments	16.4	62
articles not to be moved from establishment unless marked as required	16.5	63
branding and identifying products, detailed requirements	16.1–16.18	61
brand used in lieu of domestic meat label	16.15 (b)	68
brands, control and use	16.8	64
brands, ink, bearing marks of inspection	16.7 (a) (2)	63
brands, lockers for	7.5 (k)	13
brands not to be false or misleading	16.9	64
containers of product for export	16.15 (c)	69
horse meat and product	29.4	178
inedible grease	16.18	70
ink to be furnished by establishment	16.7 (a)	63
meat food products in casings	16.13	65
preparation of devices without approval prohibited	16.2	62
removal of original mark on reinspection and condemnation of product	18.1, 18.2	91, 92

	Section	Page
Marking—Continued		
rubber brand in lieu of export stamp	24.1 (c)	121
shipping containers	16.15	68
Mark of inspection. (See Inspection legend.)		
Meat:		
definition	1.1 (u)	3
term not to be used in misleading manner	17.8 (c) (12)	80
Meat byproduct, definition	1.1 (v)	3
Meat extract, labeling	17.8 (c) (15)	80
Meat fat, use of term	17.8 (c) (50)	86
Meat food product:		
definition	1.1 (w)	3
in casings, marking of	16.13	65
marking to show list of ingredients	16.14	67
mixtures not coming under Meat Inspection Act	18.13	116
Meat-Inspection Act:		
definition	1.1 (a)	1
text		186
Meat loaf, water limitation	18.7 (e)	97
Meat stews, content	17.8 (c) (30)	83
Melanosis, carcasses affected with	11.14	45
Metritis, carcasses affected with	11.17	45
Mexico:		
export certificate to be issued in quintuplicate	24.3 (j)	124
horse meat eligible for importation from	29.10 (b)	181
product eligible for importation from	27.2 (b)	153
Monoglycerides:		
added to fats, labeling of product	17.8 (c) (43)	85
permissible in fats	18.7 (c)	97
Monoisopropyl citrate, to improve stability of fats	18.7 (d) (9)	97
Name and address of manufacturer, packer, or distributor:		
on label, qualification requirement	17.2 (b) (3)	74
required labeling information	17.2 (b)	72
use on labels not to be misleading	17.8 (c) (3)	79
Name of product:		
certain terms not applicable	17.2 (b) (1)	73
labeling information required	17.2 (b)	72
true name required	17.2 (b) (1)	73
Necrobacillosis, carcasses affected with	11.18	46
Neoplasms. (See Malignant neoplasms.)		
Netherlands:		
animal casings exported to	24.5 (i)	134
form required in addition to export certificate	24.3 (k) (2)	125
fresh pork exported to, certification	24.3 (k) (1)	124
horse meat for	29.8	180
product eligible for importation from	27.2 (b)	153
Net weight statement:		
not to include packing medium	17.8 (c) (17)	81
required labeling information	17.2 (b)	72
New Zealand:		
animal casings exported to, certification	24.5 (j)	134
product eligible for importation from	27.2 (b)	153
Nickel preparations, as catalysts in preparation of rendered fats	18.7 (i)	98



	Section	Page
Nitrate, potassium or sodium:		
acceptable ingredient.....	18.7 (b)	96
limitations regarding use.....	18.7 (k)	98
unacceptable in product labeled "fresh".....	17.8 (c) (6)	79
Nitrite, potassium or sodium:		
acceptable ingredient.....	18.7 (b)	96
limitations regarding use.....	18.7 (k)	98
unacceptable in product labeled "fresh".....	17.8 (c) (6)	79
Nonamenable mixtures containing product.....	18.13	116
Nonfat dry milk, added to sausage.....	16.13 (c)	66
	17.2 (b) (2)	73
	17.8 (c) (16), (27), (32), (48)	81, 82, 83, 85
	18.7 (g)	98
Nordihydroguaiaretic acid, addition to fats.....	18.7 (d) (2)	97
Northern Ireland, product eligible for importation from.....	27.2 (b)	153
Norway:		
certification of horse meat for.....	29.7	179
product eligible for importation from.....	27.2 (b)	153
visa requirement for export certificate.....	24.3 (b)	123
Official establishment, definition.....	1.1 (i)	2
Official numbers, assignment of.....	5.1	7
Official seals, on certain export forms.....	24.3 (d)	123
Official station, definition.....	1.1 (j)	2
Oil of rosemary, use in denaturing.....	14.2	57
Oleomargarine:		
colored, containers and labeling.....	17.8 (c) (53)	86
definition and standard of identity.....	28.1	170
equipment used in manufacture.....	18.6 (a) (2)	94
vitamins added to.....	28.1 (a) (3)	171
water may be used in.....	17.8 (c) (25)	82
Oleo oil, stearin, and stock, false labeling.....	17.8 (c) (22)	82
Organs and parts to be held pending final inspection of carcasses.....	10.2	30
Overtime Acts:		
Import and Export Inspection, text.....		195
Regular, text.....		194
Overtime work of employees.....	7.4	11
Oxygen interceptor, use of term.....	16.13 (e), 17.9 (d)	67, 88
Packing substance, declaration on label.....	17.8 (c) (17)	81
Pancreatic extract, permissible in treating casings.....	18.6 (a) (9)	95
Papain:		
permissible for treatment of casings.....	18.6 (a) (9)	95
permissible for treatment of steaks.....	17.8 (c) (56)	87
Paraguay, product eligible for importation from.....	27.2 (b)	153
Parasites:		
<i>Coenurus cerebralis</i> .....	11.26 (c)	51
<i>Cysticercus</i> —		
<i>bovis</i> .....	11.24	47
<i>cellulosae</i> .....	11.25	50
<i>ovis</i> .....	11.26 (b)	50
flukes.....	11.26 (e), 14.6 (a)	51, 58
fringed tapeworms.....	11.26 (c), 14.6 (b)	51, 59

	Section	Page
Parasites—Continued		
hydatid cysts.....	11.26 (d), 14.6 (b)	51, 59
not transmissible to man.....	11. 26	50
Parcel post, deemed a carrier.....	25. 2	138
Parturient paresis, animals showing symptoms of.....	9.6 (a)	24
Paunches:		
preparation of, for use as ingredient.....	18.6 (b) (6)	96
shipment of, under seal.....	25. 7	142
Pericarditis, carcasses affected with.....	11. 17	45
Perishable, keep under refrigeration, label.....	18.11 (g)	113
Person, definition.....	1.1 (aa)	3
Peru, export certificate required for.....	24.3 (a)	123
Phlebitis, carcasses affected with.....	11. 17	45
Phosphate (disodium, sodium hexameta-, sodium tripoly-, sodium pyro-, sodium acid pyro-) in curing.....	18.7 (r)	100
Phosphoric acid to improve stability of fats.....	18.7 (d) (9)	97
Pigs feet, pigs knuckles, labeling to show presence of bones.....	17.8 (c) (41)	84
Pineapple juice, for treatment of casings.....	18.6 (a) (9)	95
Pine oil, for denaturing rendered inedible fat.....	14. 2	57
Piroplasmosis, carcasses affected with.....	11. 11	43
Pizzles, from all carcasses, removal of.....	10.7 (b)	32
Plans:		
remodeling establishments and new structures....	8.2	14
to accompany applications for inspection.....	4.2 (a)	5
to be furnished in advance of construction.....	8.2	14
Poland:		
form to accompany export certificate.....	24.3 (c)	123
product eligible for importation from.....	27.2 (b)	153
special form for animal casings exported to... 24.5 (b), (c)		133
visa requirement for export certificate.....	24.3 (b)	123
Polyarthritis. ( <i>See</i> Arthritis.)		
Pork:		
refrigerated to destroy trichinae, shipments of... 25.9		142
treatment for trichinae, instructions.....	18.10	103
Pork with Barbecue Sauce, content of.....	17.8 (c) (48)	85
Pork sausage, content of.....	17.8 (c) (40)	84
Post-mortem inspection, detailed requirements.... 10.1-10.18		30
Potted meat food product, content of.....	17.8 (c) (39)	84
Pregnancy (advanced) or recent parturition:		
animals handled as suspects on account of.....	9.13	27
carcasses showing signs of.....	11.28	51
Premises of establishments, maintenance of.....	8.13	20
Preservative(s):		
borax, permissible for export product.....	17.9 (e)	88
export product, permissible in.....	18.8 (a)	101
import product must conform with regulations... 27.3 (b)		154
labeling requirements.....	17.9	87
requirements when used in product for export... 24.8		136
Primal parts of carcass:		
marking with inspection legend.....	16.10 (b)	64
transporting for further processing.....	16.11	64
Processes to be supervised.....	18.6	94

Product(s):	Section	Page
canned, offered for importation.....	27.3 (f)	154
definition.....	1.1 (x)	3
disposition on entering official establishment.....	18.4	93
shipments under seal.....	25.9	142
smoked, weight of.....	17.8 (c) (49)	86
too small to be marked with brand.....	16.12	65
Prohibited substances, not permissible in establishment.....	18.6 (b) (9)	96
Propyl gallate, to improve stability of fats.....	18.7 (d) (7)	97
Pseudoleukemia, carcasses affected with.....	11.14	45
Puff pastry shortening, water limitation.....	17.8 (c) (25)	82
Pus, parts of carcasses contaminated with.....	11.15	45
Pyemia, carcasses affected with.....	11.11, 11.17, 11.18	43, 45, 46
Rabies, animals showing symptoms of.....	9.6 (a)	24
Railroad sickness, animals showing symptoms of.....	9.6 (a)	24
Reactor(s):		
brucellosis-reactor goats not to be slaughtered in official establishment.....	9.17	29
marked U. S. condemned, to be autopsied.....	9.3 (c)	23
to tuberculin tests, handled as suspects.....	9.11	27
Reinspection:		
and preparation of products.....	18.1-18.17	91
first draw-off from tank cars.....	18.1 (c)	92
frozen product, defrosting.....	18.1 (b)	92
meats accidentally soiled.....	18.1 (a) (1)	91
products subject to.....	18.1 (a)	91
rehandling unsound products.....	18.1 (a) (2)	91
returned products.....	18.5	93
U. S. retained, tagging products on.....	18.2	92
Relabeling:		
canned product contaminated by flood water..	18.14 (c)	116
product, requirements.....	17.12	89
Rendered pork fat:		
definition.....	17.8 (c) (20)	81
mixed with lard, labeling of.....	17.8 (c) (21)	82
Rendering carcasses and parts into lard.....	15.1	60
Rescindment of label approvals.....	17.14	90
Resin guaiac, addition to fats.....	18.7 (d) (1)	97
Reports:		
daily.....	20.2	118
establishments to furnish.....	20.3	118
inspection.....	20.1	118
on sanitation.....	20.4	118
Returned product:		
from foreign country if U. S. inspected.....	27.19	169
interstate shipment of.....	25.13	146
reinspections of.....	18.5	93
Roast beef, content of.....	17.8 (c) (42)	84
Rooms and compartments:		
clean and sanitary.....	8.7	18
floors, watertight.....	8.3 (c)	16
for edible product, separate and distinct from those used for inedible products.....	8.3 (c)	16

	Section	Page
Rooms and compartments—Continued		
free from dust and odors.....	8.3 (f)	16
free of steam and vapors.....	8.8 (b)	18
objectionable material not to be stored in.....	8.7	18
Salvador, visa requirement for export certificates.....	24.3 (b)	123
Samples:		
import products.....	27.12, 27.13	163, 164
taken without cost to division.....	18.9	103
Sanitation:		
detailed requirements.....	8.1–8.15	14
examination of conditions before inspection in- augurated.....	8.1	14
exclusion of flies and vermin from establish- ments.....	8.3 (g)	16
operations, procedures, rooms, clothing, utensils, to be clean and sanitary.....	8.8	18
Sauerkraut, with wieners and juice content.....	17.8 (c) (45)	85
Sausage:		
addition of certain ingredients.....	16.13 (c)	66
antioxidant added.....	16.13 (e)	67
bacterial starters used in preparation.....	18.7 (p)	100
cereal and other extenders as ingredients.....	18.7 (g)	98
content of.....	18.7 (f), (g), (h)	97, 98
farm style or country style, restrictions.....	17.8 (c) (2)	79
ingredients, marking product with list of.....	16.14	67
inspection legend on, marking.....	16.13	65
labeling to show name of added extender.....	17.8 (c) (16)	81
liver sausage and liver products, percent of liver in.....	17.8 (c) (36)	84
marking, artificially colored.....	16.13 (d)	66
marking not required when processed in cans....	16.13 (h)	67
marking when size larger than customarily sold at retail intact.....	16.13 (g)	67
meat food products resembling, marked "imita- tion".....	16.13 (b)	66
pork, fat content of trimmings in.....	17.8 (c) (40)	84
requirements for marking.....	16.13 (e) (f)	67
shipment between establishments for further proc- essing.....	16.13 (a)	65
treatment for destruction of trichinae.....	18.10 (c) (3) (i)	106
treatment to destroy trichinae, instructions.....	18.10	103
water limitation.....	18.7 (h)	98
Sawdust condition:		
livers condemned on account of.....	14.6 (d)	59
livers, disposal of.....	11.33	52
Scabbards and knives.....	8.6	18
Scotland, product eligible for importation from.....	27.2 (b)	153
Scrapple, content of.....	17.8 (c) (34)	83
Sealed car(s):		
breaking of import-meat seals.....	27.9 (h)	162
breaking seals in case of emergency.....	25.16 (b)	150
import product.....	27.9	161
loading or unloading en route prohibited.....	25.8	142



	Section	Page
Sealed car(s)—Continued		
notification regarding shipments.....	25.6 (d), 25.9 (e)	142, 143
paunches shipped in.....	25.7	142
pork refrigerated to destroy trichinae, shipment in.....	18.10 (c) (2)	105
product requiring special supervision, shipment in.....	25.9	142
seals not to be tampered with.....	25.6 (e)	142
transporting unmarked inspected product for fur- ther processing.....	25.6	140
Second-hand containers:		
inspection and cleaning of.....	8.12 (a)	19
removal of markings.....	17.10 (b)	89
Septicemia, carcasses affected with.....	11.11, 11.17, 11.18	43, 45, 46
Shankless and hookless, meaning of terms.....	17.8 (e) (14)	80
Skins from diseased swine, handling.....	10.15	35
Slack barrels and similar containers:		
contamination of product with wood splinters....	8.10 (a)	19
lining for.....	8.10 (c)	19
second-hand, cleaning of.....	8.12 (a)	19
to be kept clean.....	8.10 (b)	19
Smoked products, weight of.....	17.8 (e) (49)	86
Sodium bicarbonate, permissible in preparation of rendered fats.....	18.7 (i)	98
Sodium carbonate, permissible in preparation of tripe..	18.7 (j)	98
Sodium citrate, for preventing coagulation of blood....	18.7 (o)	100
Sodium metasilicate, permissible in preparation of tripe.....	18.7 (j)	98
Sodium stearate in oleomargarine.....	28.1 (a) (3)	171
Soliciting employment.....	6.4	9
South Africa, Union of, animal casings destined to....	24.5 (b)	133
Soya flour, in sausage.....	18.7 (g)	98
Spaghetti:		
sauce with meat, meat content.....	17.8 (e) (33)	83
with meat balls and sauce, labeling.....	17.8 (e) (32)	83
Spain, product eligible for importation from.....	27.2 (b)	153
Specimens:		
educational and other purposes, permits for.....	14.5	57
import, for laboratory examination.....	27.21	170
Spermatic cords, removal of from hog carcasses.....	10.7 (b)	32
Spice, spices, and spiced, applicability of terms....	17.8 (e) (7)	79
Spinal cords, not permissible as ingredient.....	18.6 (b) (1)	95
Spitting, and inflation with air from mouth, pro- hibited.....	8.8 (e)	19
Spring lamb. ( <i>See</i> Lamb.)		
Starters, bacterial, in preparation of sausage.....	18.7 (p)	100
Stearyl citrate in oleomargarine.....	28.1 (a) (3)	171
Sternum to be split for inspection.....	10.12	34
Stockinettes, exception to labeling requirement.....	17.1 (a)	71
Stomachs, preparation of as ingredient.....	18.6 (b) (6)	96
Subsidiary establishments. ( <i>See</i> Establishments.)		
Suffocated animals and swine sealded alive.....	11.32	52

	Section	Page
Suspects:		
advanced pregnancy or recent parturition, animals showing signs of	9.13	27
cripples and downers	9.4	23
handling of animals suspected of being diseased, on ante-mortem inspection	9.2 (c)	22
immature animals	9.5	23
marking and retaining identity of animals	9.2 (a)	22
pregnancy or recent parturition	9.13	27
reactors to tuberculin test, exception regarding tagging	9.11	27
swine erysipelas, animals suspected of being affected with	9.12 (b), (c)	27
swine injected with hog cholera virus	9.7 (e), (f), (g), (h)	25
swine suspected of having hog cholera	9.7 (b), (c), (d)	24, 25
Sweden, product eligible for importation from	27.2 (b)	153
Swine:		
carcasses to be cleaned before incising	10.11	34
hyperimmune	9.7 (g), (h), 10.16	25, 35
injected with hog cholera virus, post-mortem inspection and disposal of carcasses	11.5	42
lungs not to be saved as edible product	10.17 (b)	36
scalded alive, condemnation of	11.32	52
skins from diseased animals, handling	10.15	35
Swine erysipelas:		
animals affected with, marked U. S. condemned	9.12 (a)	27
animals suspected of being affected with, handled as suspects	9.12 (b), (c)	27
carcasses affected with	11.6	42
Switzerland:		
product eligible for importation from	27.2 (b)	153
sausage made from frozen meat not eligible for importation into	24.4 (d)	132
special certification for product exported to	24.3 (1)	125
Tails, identity to be preserved pending completion post-mortem inspection	10.2	30
Tamales, labeling	17.8 (c) (31)	83
Tank cars:		
first draw-off from bottom of	18.1 (c)	92
inspection and cleaning of	8.12 (b)	20
marking of with name of product	16.16	69
transferring inspected and passed product for export	16.17	70
Tanking:		
and denaturing condemned carcasses and parts	14.1-14.6	56
carcasses of condemned animals	9.16	28
condemned carcasses and products	14.1 (a)	56
condemned product at establishments without tanking facilities	14.4 (a)	57
Tank rooms:		
inedible fats from outside premises	13.5	55
inedible to be separate from edible product departments	13.1	55
odors to be suppressed when preparing inedible product	13.2	55

	Section	Page
Tanks:		
breaking seals of .....	14.1 (b)	57
sealing of .....	14.1 (a)	56
Tannic acid:		
in preparation of rendered fats .....	18.7 (i)	98
Telangiectasis:		
livers condemned for, treatment for fish feed .....	14.6 (d)	59
livers, disposal of .....	11.33	52
Tenants in official establishments, labeling require-		
ments for .....	17.2 (b) (3)	74
Testicles, not permitted ingredient .....	18.6 (b) (5)	96
Tetanus, animals showing symptoms of .....	9.6 (a)	24
Thymus gland, identity to be preserved pending com-		
pletion post-mortem inspection .....	10.2	30
Tinea tonsurans, hog carcasses affected with .....	11.23	47
Tocopherols, addition to fats .....	18.7 (d) (3)	97
Tongue spread, meat content of .....	17.8 (c) (37)	84
Tonsils, not permissible in meat food products .....	18.6 (b) (7)	96
Transportation interstate:		
certificate for inspected and passed product .....	25.5	139
diverting of shipments .....	25.16 (a)	150
evidence of proper certification on waybills .....	25.12	145
farmer product, requirements .....	25.11	144
general requirements .....	25.1-25.17	137
jobbers, wholesalers, and others .....	25.4	139
laboratory specimens, hoofs, horns, and certain		
inedible products .....	25.17	151
parcel post and ferries deemed carriers .....	25.2	138
product exempted from inspection, certification ..	25.10	143
returned products .....	25.13	146
shipper's certificate for import product .....	25.3	138
shipper's certificate required .....	25.1	137
uninspected or unsound meat .....	25.14	148
unmarked inspected product in sealed cars .....	25.6	140
Trichinae:		
boneless pork loins and loin ends, treatment to		
destroy .....	18.10 (c) (3) (v)	111
capocollo, treatment to destroy .....	18.10 (c) (3) (ii)	109
coppa, treatment to destroy .....	18.10 (c) (3) (iii)	109
general instructions for destruction of .....	18.10 (d)	111
hams, treatment to destroy .....	18.10 (c) (3) (iv)	110
heating pork to destroy .....	18.10 (c) (1)	104
pork products not required to be treated if		
cooked in home .....	18.10 (a)	103
pork products to be treated for .....	18.10 (b)	104
refrigeration to destroy .....	18.10 (c) (2)	105
sausage, treatment to destroy .....	18.10 (c) (3) (i)	106
shipments of pork refrigerated to destroy .....	25.9	142
Tripe, substances permissible for preparation .....	18.7 (j)	98
Tripe with Milk, content of .....	17.8 (c) (44)	85
Trisodium phosphate, in preparation of tripe .....	18.7 (j)	98
True container, definition .....	1.1 (y)	3
Tuberculosis:		
carcasses of animals affected with .....	11.2, 11.3	38, 39
reactors to tuberculin test treated as suspects .....	9.11	27

	Section	Page
Tumors:		
carcasses affected with.....	11.12, 11.13, 11.15	44, 45
(See also Malignant neoplasms.)		
Udders:		
facilities for handling.....	10.18 (b)	36
from Bang's disease reactors and mastitis elimi- nation cows.....	10.18 (d)	36
inspection of.....	10.18 (e)	36
lactating mammary glands of swine.....	10.18 (e)	36
Unborn and stillborn animals, carcasses condemned....	11.31	52
Unhealed vaccine lesions (vaccinia):		
animals affected with, not required to be slaugh- tered.....	9.14	28
carcasses affected with.....	11.11	43
U. S. condemned:		
anasarca, cattle affected with.....	9.10 (a)	27
animals affected with any condition that would cause condemnation of carcasses on post- mortem inspection.....	9.3 (a)	23
animals in dying condition.....	9.3 (b)	23
animals showing symptoms of various diseases....	9.6 (a)	24
anthrax, animals affected with.....	9.9 (a)	26
carcasses not to pass through edible products de- partments.....	13.3	55
cattle having temperature of 105° F. to be marked....	9.2 (d)	22
comatose or semi-comatose condition, animals affected marked.....	9.3 (d)	23
definition.....	1.1 (q)	2
disposition of condemned animals.....	9.16	28
epithelioma of the eye of cattle.....	9.8 (a)	25
facilities for disposal of condemned articles.....	7.5 (i)	13
marking animals.....	9.3	23
sheep or goats having temperature of 105° F. to be marked.....	9.2 (d)	22
tagging animals.....	9.16	28
swine affected with acute swine erysipelas, to be marked.....	9.12 (a)	27
swine affected with hog cholera to be marked....	9.7 (a)	24
swine having temperature of 106° F. to be marked....	9.2 (d)	22
vesicular diseases, marking of animals affected with.....	9.18 (c) (1)	29
(See also Condemned.)		
U. S. inspected and condemned:		
definition.....	1.1 (n)	2
marking condemned carcasses, parts, and recep- tacles.....	10.5	31
marking product offered for importation.....	27.12 (d)	163
written on retained tag.....	18.2	92
U. S. inspected and passed, definition.....	1.1 (k)	2
U. S. passed for cooking:		
carcasses and parts, requirements for.....	15.1, 15.2	60
definition.....	1.1 (l)	2
disposal if not handled as required.....	15.3	61
heating requirement in lieu of rendering.....	15.2	60



	Section	Page
U. S. passed for cooking—Continued		
ingredient in preparing meat food products.....	15.2 (b)	60
marking carcasses and parts.....	10.6	31
open kettle rendering.....	15.1 (2)	60
rendering tanks to be sealed.....	15.1 (1)	60
shipment of products under seal.....	25.9	142
(See also Condemned.)		
U. S. passed for refrigeration:		
definition.....	1.1 (m)	2
shipment of products under seal.....	25.9	142
U. S. refused entry, marking condemned product....	27.12 (d)	163
U. S. rejected, tagging insanitary equipment.....	8.15	20
U. S. retained:		
carcasses and parts in certain instances to be retained.....	10.3	31
carcasses not to be washed or trimmed unless authorized by inspector.....	10.3	31
definition.....	1.1 (o)	2
diseased parts removed.....	10.7 (a)	32
identification of retained carcasses and parts.....	10.4	31
products, tagging of.....	18.2	92
rooms, compartments, or receptacles, marking...	7.5 (h)	12
tagging carcasses and parts.....	10.4	31
tagging chemicals, preservatives, or other substances.....	18.16	117
U. S. suspect:		
anasarca, cattle affected with.....	9.10 (b)	27
definition.....	1.1 (p)	2
epithelioma of the eye of cattle, animals affected with.....	9.8 (b)	25
immature animals.....	9.5	23
leptospirosis, animals reacting to test, marking...	9.6 (b)	24
marking of animal to retain identity.....	9.2 (b)	22
removal of tag.....	9.2 (e)	23
reporting.....	9.2 (e)	22
tuberculin-test reactors.....	9.11	27
vesicular diseases, marking of animals affected with.....	9.18 (c) (2)	29
Urine or sexual odor, carcasses affected with.....	11.21	47
Urticaria, hog carcasses affected with.....	11.23	47
Uruguay, product eligible for importation from.....	27.2 (b)	153
Vaccine animals, slaughtering not required under certain conditions.....	9.14	28
Vegetable fat, oil and stearin, definitions.....	17.8 (c) (24)	82
Venezuela:		
export certificate, requirement for.....	24.3 (a)	123
product eligible for importation from.....	27.2 (b)	153
visa requirement for export certificate.....	24.3 (b)	123
Vermin, exclusion from establishments.....	8.3 (g)	16
Vesicular diseases:		
animals affected with, notice to local officials....	9.18 (a)	29
animals affected with, under quarantine by local officials.....	9.18 (b)	29

Vesicular exanthema and vesicular stomatitis:	Section	Page
animals affected with, marked U. S. condemned	9.18 (c) (1)	29
animals suspected of being affected with-----	9.18 (c) (2)	29
carcasses affected with-----	11.34	53
Violations:		
by exempted establishments, inspections to determine-----	4.6	7
inspectors to report-----	5.6	8
withdrawal of inspection for-----	5.5	8
Viscera:		
identity to be preserved pending completion post-mortem inspection-----	10.2	30
removal for inspection-----	10.12	34
Vitamins, addition to oleomargarine-----	28.1 (a) (3)	171
Water:		
added to potted and deviled meat food product	17.8 (c) (39)	84
supply at official establishments, requirements---	8.3 (d)	15
use in luncheon meat and meat loaf-----	18.7 (e)	97
use in sausage-----	18.7 (h)	98
Waybills or transfer bills covering interstate shipments	25.12	145
Wholesalers, shipments by-----	25.4	139











